

AMENDED IN SENATE APRIL 7, 2005

Senate Concurrent Resolution

No. 1

Introduced by Senator Battin

December 6, 2004

Senate Concurrent Resolution No. 1—Relative to the adoption of the Joint Rules of the Senate and Assembly for the 2005–06 Regular Session.

LEGISLATIVE COUNSEL’S DIGEST

SCR 1, as amended, Battin. Joint Rules.

This measure adopts the Joint Rules of the Senate and Assembly for the 2005–06 Regular Session.

Fiscal committee: no.

1 *Resolved by the Senate of the State of California, the Assembly*
2 *thereof concurring*, That the following rules be adopted as the
3 Joint Rules of the Senate and Assembly for the 2005–06 Regular
4 Session:

6 JOINT RULES OF THE SENATE AND ASSEMBLY

8 Standing Committees

10 1. Each house shall appoint standing committees as the
11 business of the house may require, the committees, the number of
12 members, and the manner of selection to be determined by the
13 rules of each house.

15 Joint Meeting of Committees

1 3. Whenever any bill has been referred by the Senate to one of
2 its committees, and the same or a like bill has been referred by
3 the Assembly to one of its committees, the chairmen or
4 chairwomen of the respective committees, when in their
5 judgment the interests of legislation or the expedition of business
6 will be better served thereby, shall arrange for a joint meeting of
7 their committees for the consideration of the bill.

8 9 Effect of Adoption of Joint Rules

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11 3.5. The adoption of the Joint Rules for any extraordinary
12 session may not be construed as modifying or rescinding the
13 Joint Rules of the Senate and Assembly for any previous session,
14 nor as affecting in any way the status or powers of the
15 committees created by those rules.

16 17 Definition of Word “Bill”

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19 4. Whenever the word “bill” is used in these rules, it includes
20 any constitutional amendment, any resolution ratifying a
21 proposed amendment to the United States Constitution, and any
22 resolution calling for a constitutional convention.

23 24 Concurrent and Joint Resolutions

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26 5. Concurrent resolutions relate to matters to be treated by both
27 houses of the Legislature.

28 Joint resolutions relate to matters connected with the federal
29 government.

30 31 Resolutions Treated as Bills

32
33 6. Concurrent and joint resolutions, other than resolutions
34 ratifying proposed amendments to the United States Constitution
35 and resolutions calling for constitutional conventions, shall be
36 treated in all respects as bills except as follows:

- 37 (a) They shall be given only one formal reading in each house.
38 (b) They may not be deemed bills within the meaning of
39 subdivision (a) of Section 8 of Article IV of the California
40 Constitution.

1 (c) They may not be deemed bills for the purposes of Rules
2 10.8, 53, 55, 56, and 61, and subdivisions (a) and (c) of Rule 54
3 and subdivisions (a) and (b) of Rule 62.

4 (d) They may not, except for those relating to voting
5 procedures on the floor or in committee, be deemed bills for the
6 purposes of subdivision (c) of Rule 62.

8 PREPARATION AND INTRODUCTION OF BILLS

11 Title of Bill

12
13 7. The title of every bill introduced shall convey an accurate
14 idea of the contents of the bill and shall indicate the scope of the
15 act and the object to be accomplished. In amending a code
16 section, the mere reference to the section by number is not
17 deemed sufficient.

19 Division of Bill Into Sections

20
21 8. A bill amending more than one section of an existing law
22 shall contain a separate section for each section amended.

23 Bills that are not amendatory of existing laws shall be divided
24 into short sections, where this can be done without destroying the
25 sense of any particular section, to the end that future amendments
26 may be made without the necessity of setting forth and repeating
27 sections of unnecessary length.

29 Digest of Bills Introduced

30
31 8.5. A bill may not be introduced unless it is contained in a
32 cover attached by the Legislative Counsel and it is accompanied
33 by a digest, prepared and attached to the bill by the Legislative
34 Counsel, showing the changes in the existing law that are
35 proposed by the bill. A bill may not be printed where the body of
36 the bill or the Legislative Counsel's Digest has been altered,
37 unless the alteration has been approved by the Legislative
38 Counsel. If any bill is presented to the Secretary of the Senate or
39 Chief Clerk of the Assembly for introduction, that does not
40 comply with the foregoing requirements of this rule, the

1 Secretary or Chief Clerk shall return it to the member who
2 presented it. The digest shall be printed on the bill as introduced,
3 commencing on the first page thereof.

4 5 Digest of Bills Amended

6
7 8.6. Whenever a bill is amended in either house, the Secretary
8 of the Senate or the Chief Clerk of the Assembly, as the case may
9 be, shall request the Legislative Counsel to prepare an amended
10 digest and cause it to be printed on the first page of the bill as
11 amended. The digest shall be amended to show changes in the
12 existing law that are proposed by the bill as amended, with any
13 material changes in the digest indicated by the use of appropriate
14 type.

15 16 Errors in Digest

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18 8.7. If a material error in a printed digest referred to in Rule 8.5
19 or 8.6 is brought to the attention of the Legislative Counsel, he or
20 she shall prepare a corrected digest that shows the changes made
21 in the digest as provided in Rule 10 for amendments to bills. He
22 or she shall deliver the corrected digest to the Secretary of the
23 Senate or the Chief Clerk of the Assembly, as the case may be. If
24 the correction so warrants in the opinion of the President pro
25 Tempore of the Senate or the Speaker of the Assembly, a
26 corrected print of the bill as introduced shall be ordered with the
27 corrected digest printed thereon.

28 29 Bills Amending Title 9 of the Government Code

30
31 8.8. A member who is the first-named author of a bill, that
32 would amend, add, or repeal any provision of Title 9
33 (commencing with Section 81000) of the Government Code,
34 upon introduction or amendment of the bill in either house shall
35 notify the Chief Clerk of the Assembly or the Secretary of the
36 Senate, as the case may be, of the nature of the bill. Thereafter,
37 the Chief Clerk of the Assembly or the Secretary of the Senate
38 shall deliver a copy of the bill as introduced or amended to the
39 Fair Political Practices Commission pursuant to Section 81012 of
40 the Government Code.

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment, or resolution under consideration. An amendment is not in order when all that would be done to the bill is the addition of a coauthor or coauthors, unless the Committee on Rules of the house in which the amendment is to be offered grants prior approval.

Changes in Existing Law to Be Marked by Author

10. In a bill amending or repealing a code section or a general law, any new matter shall be underlined, and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as “strikeout” type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in “strikeout” type.

In an amendment to a bill that sets out for the first time a section being amended or repealed, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended or repealed was a part of the original bill and was being printed for the first time.

When an entire code is repealed as part of a codification or recodification, or when an entire title, part, division, chapter, or article of a code is repealed, the sections comprising the code, title, part, division, chapter, or article shall not be set forth in the bill or amendment in strikeout type.

Rereferral to Fiscal and Rules Committees

10.5. A bill shall be rereferred to the fiscal committee of each house when it would do any of the following:

- (1) Appropriate money.
- (2) Result in substantial expenditure of state money by: (a) imposing new responsibilities on the state, (b) imposing new or additional duties on a state agency, or (c) liberalizing any state program, function, or responsibility.
- (3) Result in a substantial loss of revenue to the state.

1 (4) Result in substantial reduction of expenditures of state
2 money by reducing, transferring, or eliminating any existing
3 responsibilities of any state agency, program, or function.

4 Concurrent and joint resolutions shall be rereferred to the fiscal
5 committee of each house when they contemplate any action that
6 would involve any of the following:

7 (1) Any substantial expenditure of state money.

8 (2) Any substantial loss of revenue to the state.

9 The above requirements do not apply to bills or concurrent
10 resolutions that contemplate the expenditure or allocation of
11 operating funds.

12 A bill that assigns a study to the Joint Legislative Budget
13 Committee or to the Legislative Analyst shall be rereferred to the
14 respective rules committees. Before the committee may act upon
15 the bill, it shall obtain from the Joint Legislative Budget
16 Committee an estimate of the amount required to be expended to
17 make the study.

18 This rule may be suspended in either house as to any particular
19 bill by approval of the Committee on Rules of the house and
20 two-thirds vote of the membership of the house.

21 Short Title

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23
24 10.6. A bill may not add a short title that names a current or
25 former Member of the Legislature.

26 Heading of Bills

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28
29 10.7. A bill or resolution may be authored only by a member or
30 committee of the house of origin. Members or committees that
31 are not of the house of origin may be “principal coauthors” or
32 “coauthors.” A bill may not indicate in its heading or elsewhere
33 that it was introduced at the request of a state agency or officer or
34 any other person. A bill may not contain the words “By request”
35 or words of similar import.

36 Consideration of Bills

1 10.8. The limitation contained in subdivision (a) of Section 8
2 of Article IV of the Constitution may be dispensed with as
3 follows:

4 (a) A written request for dispensation entitled “Request to
5 Consider and Act on Bill Within 30 Calendar Days” shall be filed
6 with the Chief Clerk of the Assembly or the Secretary of the
7 Senate, as the case may be, and transmitted to the Committee on
8 Rules of the appropriate house.

9 (b) The Committee on Rules of the Assembly or Senate, as the
10 case may be, shall determine whether there exists an urgent need
11 for dispensing with the 30-calendar-day waiting period following
12 the bill’s introduction.

13 (c) If the Committee on Rules recommends that the waiting
14 period be dispensed with, the member may offer a resolution,
15 without further reference thereof to committee, authorizing
16 hearing and action upon the bill before the 30 calendar days have
17 elapsed. The adoption of the resolution requires an affirmative
18 recorded vote of three-fourths of the elected members of the
19 house in which the resolution is presented.

20
21 Printing of Amendments
22

23 11. (a) Any bill amended by either house shall be immediately
24 reprinted. Except as otherwise provided in subdivision (b), if new
25 matter is added by the amendment, the new matter shall be
26 printed in italics in the printed bill; if matter is omitted, the
27 matter to be omitted shall be printed in strikeout type. When a
28 bill is amended in either house, the first or previous markings
29 shall be omitted.

30 (b) If amendments to a bill, including the report of a committee
31 on conference, are adopted that omit the entire contents of the
32 bill, the matter omitted need not be reprinted in the amended
33 version of the bill. Instead, the Secretary of the Senate or the
34 Chief Clerk of the Assembly, as the case may be, may select the
35 amended bill and cause to be printed a brief statement to appear
36 after the last line of the amended bill identifying which
37 previously printed version of the bill contains the complete text
38 of the omitted matter.

39
40 Manner of Printing Bills

1
2 12. The State Printer shall observe the directions of the Joint
3 Rules Committee in printing all bills, constitutional amendments,
4 and concurrent and joint resolutions.
5

6 Distribution of Legislative Publications
7

8 13. The Secretary of the Senate and the Chief Clerk of the
9 Assembly shall order a sufficient number of bills and legislative
10 publications as may be necessary for legislative requirements.

11 A complete list of bills may not be delivered except upon
12 payment therefor of the amount fixed by the Joint Rules
13 Committee for any regular or extraordinary session. No more
14 than one copy of any bill or other legislative publication, nor
15 more than a total of 100 bills or other legislative publications
16 during a session, may be distributed free to any person, office, or
17 organization. The limitations imposed by this paragraph do not
18 apply to Members of the Legislature, the President of the Senate,
19 the Secretary of the Senate, or the Chief Clerk of the Assembly
20 for the proper functioning of their respective houses; the
21 Legislative Counsel Bureau; the Attorney General's office; the
22 Secretary of State's office; the Controller's office; the
23 Governor's office; the Clerk of the Supreme Court; the clerk of
24 the court of appeal for each district; the Judicial Council; the
25 California Law Revision Commission; the State Library; the
26 Library of Congress; the libraries of the University of California
27 at Berkeley and at Los Angeles; or accredited members of the
28 press. The State Printer shall fix the cost of the bills and
29 publications, including postage, and moneys as may be received
30 by him or her shall, after deducting the cost of handling and
31 mailing, be remitted on the first day of each month, one-half each
32 to the Secretary of the Senate and the Chief Clerk of the
33 Assembly for credit to legislative printing. Legislative
34 publications heretofore distributed through the Bureau of
35 Documents shall be distributed through the Bill Room. Unless
36 otherwise provided for, the total number of each bill to be printed
37 may not exceed 2,500.
38

39 Legislative Index
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1 13.1. The Legislative Counsel shall provide for the periodic
2 publication of a cumulative Legislative Index, which shall
3 include tables of sections affected by pending legislation. The
4 State Printer shall print the Legislative Index in the quantities,
5 and at the times, determined by the Secretary of the Senate and
6 the Chief Clerk of the Assembly. The costs of that printing shall
7 be paid from the legislative printing appropriation.

8
9 Summary Digest

10
11 13.3. The Legislative Counsel shall compile and prepare for
12 publication a summary digest of legislation passed at each
13 regular and extraordinary session, which digest shall be prepared
14 in a form suitable for inclusion in the publication of statutes. The
15 digest shall be printed as a separate legislative publication on the
16 order of the Joint Rules Committee, and may be made available
17 to the public in the quantities, and at the prices, determined by
18 the Joint Rules Committee.

19
20 Statutory Record

21
22 13.5. The Legislative Counsel shall prepare for publication
23 from time to time a cumulative statutory record. The statutory
24 record shall be printed as a legislative publication on the order of
25 the Secretary of the Senate or the Chief Clerk of the Assembly.

26
27 **OTHER LEGISLATIVE PRINTING**

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29
30 Printing of the Daily Journal

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32 14. The State Printer shall print, in the quantities directed by
33 the Secretary of the Senate and the Chief Clerk of the Assembly,
34 copies of the Daily Journal of each day's proceedings of each
35 house. At the end of the session he or she shall also print, as
36 directed by the Secretary of the Senate and the Chief Clerk of the
37 Assembly, a sufficient number of copies properly paged after
38 being corrected and indexed by the Secretary of the Senate and
39 the Chief Clerk of the Assembly, to bind in book form as the
40 Daily Journal of the respective houses of the Legislature.

1
2 What Shall Be Printed in the Daily Journal
3

4 15. The following shall be printed in the Daily Journal of each
5 house:

6 (a) Messages from the Governor and messages from the other
7 house, and the titles of all bills, joint and concurrent resolutions,
8 and constitutional amendments when introduced in, offered to, or
9 acted upon by, the house.

10 (b) Every vote taken in the house, and a statement of the
11 contents of each petition, memorial, or paper presented to the
12 house.

13 (c) A true and accurate account of the proceedings of the
14 house, when not acting as a Committee of the Whole.

15
16 Printing of the Daily File
17

18 16. A Daily File of bills ready for consideration shall be
19 printed each day for each house when the Legislature is not in
20 joint recess, except days when a house does not meet.

21
22 Printing of History
23

24 17. Each house shall cause to be printed, once each week, a
25 complete Weekly History of all bills, constitutional amendments,
26 and concurrent, joint, and house resolutions originating in,
27 considered by, or acted upon by, the respective houses and
28 committees thereof. A regular form shall be prescribed by the
29 Secretary of the Senate and the Chief Clerk of the Assembly. The
30 Weekly History shall show the action taken upon each measure
31 up to and including the legislative day preceding its issuance.
32 Except for periods when the houses are in joint recess, for each
33 day intervening there shall be printed a Daily History showing
34 the consideration given to or action taken upon any measure
35 since the issuance of the complete Weekly History.

36
37 Authority for Printing Orders
38

39 18. The State Printer may not print for use of either house, nor
40 charge to legislative printing, any matter other than provided by

1 law or by the rules, except upon a written order signed by the
2 Secretary of the Senate, on behalf of the Senate, or the Chief
3 Clerk of the Assembly or other person authorized by the
4 Assembly, on behalf of the Assembly. Persons authorized to
5 order printing under this rule may, when necessity requires it,
6 order certain matter printed in advance of the regular order, by
7 the issuance of a rush order.

8 The Secretary of the Senate, on behalf of the Senate, and the
9 Chief Clerk of the Assembly or other person authorized by the
10 Assembly, on behalf of the Assembly, are hereby authorized and
11 directed to order and distribute for the members stationery and
12 legislative publications for which there is a demand, and, subject
13 to the rules of their respective houses, to approve the bills
14 covering those orders. All bills for printing must be presented by
15 the State Printer within 30 days after the completion of the
16 printing.

17 18 **RECORD OF BILLS** 19

20 21 **Secretary and Chief Clerk to Keep Records** 22

23 19. The Secretary of the Senate and the Chief Clerk of the
24 Assembly shall keep a complete and accurate record of every
25 action taken by the Senate and Assembly on every bill.
26

27 **Secretary and Chief Clerk Shall Endorse Bills** 28

29 20. The Secretary of the Senate and the Chief Clerk of the
30 Assembly shall endorse on every original or engrossed bill a
31 statement of any action taken by the Senate or Assembly
32 concerning the bill.
33

34 **ACTION IN ONE HOUSE ON BILL** 35 **TRANSMITTED FROM THE OTHER** 36

37 **After a Bill Has Been Passed by the Senate or Assembly** 38 39

1 21. When a bill has been passed by either house it shall be
2 transmitted promptly to the other, unless a motion to reconsider
3 or a notice of motion to reconsider has been made or it is held
4 pursuant to some rule or order of the house.

5 The procedure of referring bills to committees shall be
6 determined by the respective houses.

7
8 Messages to Be in Writing Under Proper Signatures
9

10 22. Notice of the action of either house to the other shall be in
11 writing and under the signature of the Secretary of the Senate or
12 the Chief Clerk of the Assembly, as the case may be. A receipt
13 shall be taken from the officer to whom the message is delivered.
14

15 Consent Calendar: Uncontested Bills
16

17 22.1. Each standing committee may report an uncontested bill
18 out of committee with the recommendation that it be placed on
19 the Consent Calendar. The Secretary of the Senate and the Chief
20 Clerk of the Assembly shall provide to each committee chairman
21 or chairwoman appropriate forms for that report. As used in this
22 rule, “uncontested bill” means a bill that (a) receives a do-pass or
23 do-pass-as-amended recommendation from the committee to
24 which it is referred, by unanimous vote of the members present
25 provided a quorum is present, (b) has no opposition expressed by
26 any person present at the committee meeting with respect to the
27 final version of the bill as approved by the committee, and (c)
28 prior to final action by the committee, has been requested by the
29 author to be placed on the Consent Calendar.
30

31 Consent Calendar
32

33 22.2. Following its second reading and the adoption of any
34 committee amendments thereto, any bill certified by the
35 committee chairman or chairwoman as an uncontested bill shall
36 be placed by the Secretary of the Senate or the Chief Clerk of the
37 Assembly on the Consent Calendar, and shall be known as a
38 “Consent Calendar bill.” Any Consent Calendar bill that is
39 amended from the floor shall cease to be a Consent Calendar bill
40 and shall be returned to the Third Reading File. Upon objection

1 of any member to the placement or retention of any bill on the
2 Consent Calendar, the bill shall cease to be a Consent Calendar
3 bill and shall be returned to the Third Reading File. No Consent
4 Calendar bill may be considered for adoption until the second
5 legislative day following the day of its placement on the Consent
6 Calendar.

7
8 **Consideration of Bills on Consent Calendar**
9

10 22.3. A bill on the Consent Calendar is not debatable, except
11 that the President of the Senate or the Speaker of the Assembly
12 shall allow a reasonable time for questions from the floor and
13 shall permit a proponent of the bill to answer the questions.
14 Immediately prior to voting on the first bill on the Consent
15 Calendar, the President of the Senate or the Speaker of the
16 Assembly shall call to the attention of the members the fact that
17 the next rollcall will be the rollcall on the first bill on the Consent
18 Calendar.

19 The Consent Calendar shall be considered as the last order of
20 business on the Daily File.

21
22 **PASSAGE AND ENROLLING OF BILL**
23

24
25 **Procedure on Defeat of More Than Majority Bill**
26

27 23.5. Whenever a bill containing a section or sections requiring
28 for passage an affirmative recorded vote of more than 21 votes in
29 the Senate and more than 41 votes in the Assembly is being
30 considered for passage, and the urgency clause, if the bill is an
31 urgency bill, or the bill, in any case, fails to receive the necessary
32 votes to make all sections effective, further action may not be
33 taken on the bill, except that an amendment to remove all
34 sections requiring the higher vote for passage from the bill shall
35 be in order prior to consideration of further business. If the
36 amendment is adopted, the bill shall be reprinted to reflect the
37 amendment. When the bill is reprinted, it shall be returned to the
38 same place on the file that it occupied when it failed to receive
39 the necessary votes.

1 Enrollment of Bill After Passage

2
3 24. After a bill has passed both houses it shall be printed in
4 enrolled form, omitting symbols indicating amendments, and
5 shall be compared by the Engrossing and Enrolling Clerk and the
6 proper committee of the house where it originated to determine
7 that it is in the form approved by the houses. The enrolled bill
8 shall thereupon be signed by the Secretary of the Senate and
9 Chief Clerk of the Assembly and, except as otherwise provided
10 by these rules, presented without delay to the Governor. The
11 committee shall report the time of presentation of the bill to the
12 Governor to the house and the record shall be entered in the
13 Daily Journal. After enrollment and signature by the officers of
14 the Legislature, constitutional amendments, and concurrent and
15 joint resolutions, shall be filed without delay in the office of the
16 Secretary of State and the time of filing shall be reported to the
17 house and the record entered in the Daily Journal.

18
19 **AMENDMENTS AND CONFERENCES**

20
21
22 Amendments to Amended Bills Must Be Attached

23
24 25. Whenever a bill or resolution that has been passed in one
25 house is amended in the other, it shall immediately be reprinted
26 as amended by the house making the amendment or amendments.
27 One copy of the amendment or amendments shall be attached to
28 the bill or resolution so amended, and endorsed “adopted”; the
29 amendment or amendments, if concurred in by the house in
30 which the bill or resolution originated, shall be endorsed
31 “concurred in”; and the endorsement shall be signed by the
32 Secretary or Assistant Secretary of the Senate, or the Chief Clerk
33 or Assistant Clerk of the Assembly, as the case may be.
34 However, an amendment to the title of a bill adopted after the
35 passage of the bill does not necessitate reprinting, but the
36 amendment must be concurred in by the house in which the bill
37 originated.

38
39 Amendments to Concurrent and Joint Resolutions

1 25.5. When a concurrent or joint resolution is amended, and the
2 only effect of the amendments is to add coauthors, the joint or
3 concurrent resolution may not be reprinted unless specifically
4 requested by one of the added coauthors, but a list of the
5 coauthors shall appear in the Daily Journal and History.

6
7 To Concur or Refuse to Concur in Amendments
8

9 26. If the Senate amends and passes an Assembly bill, or the
10 Assembly amends and passes a Senate bill, the Senate (if it is a
11 Senate bill) or the Assembly (if it is an Assembly bill) must
12 either “concur” or “refuse to concur” in the amendments. If the
13 Senate concurs (if it is a Senate bill), or the Assembly concurs (if
14 it is an Assembly bill), the Secretary of the Senate or Chief Clerk
15 of the Assembly shall so notify the house making the
16 amendments, and the bill shall be ordered to enrollment.

17
18 Reference to Committee
19

20 26.5. Pursuant to Rule 26, whenever a bill is returned to its
21 house of origin for a vote on concurrence in an amendment made
22 in the other house, the Legislative Counsel shall promptly
23 prepare and transmit to the Chief Clerk of the Assembly and the
24 Speaker of the Assembly in the case of an Assembly bill, or to
25 the Secretary of the Senate and Chair of the Senate Committee on
26 Rules in the case of a Senate bill, a brief digest summarizing the
27 effect of the amendment made in the other house. The Secretary
28 or Chief Clerk shall, upon receipt from the Legislative Counsel,
29 cause the digest to be printed in the Daily File immediately
30 following any reference to the bill covered by the digest. A
31 motion to concur or refuse to concur in the amendment is not in
32 order until the Legislative Counsel’s Digest has appeared in the
33 Daily File or an analysis of the bill has been prepared and
34 distributed pursuant to Senate Rule 29.8 or Assembly Rule 77.

35 If the digest discloses that the amendment of the other house
36 has made a substantial substantive change in the bill as first
37 passed by the house of origin, the bill, if it is a Senate bill, shall,
38 on motion of the Chair of the Senate Committee on Rules, be
39 referred to the Senate Committee on Rules for reference to an

1 appropriate standing committee. If the bill is an Assembly bill it
2 shall be referred by the Speaker to the appropriate committee.

3 Upon receipt of the bill, the committee may, by a vote of a
4 majority of its membership, recommend concurrence or
5 nonconcurrence in the amendment or hold the bill in committee.
6 The committee shall be subject to all the requirements for
7 procedure provided under Rule 62 for committees, other than
8 committees of first referral, and shall be subject to other
9 requirements for normal committee procedure as the Assembly
10 or Senate may separately provide in the standing rules of their
11 respective houses.

12 Any of the provisions of this rule may be dispensed with regard
13 to a particular bill in its house of origin upon an affirmative vote
14 of a majority of the members of that house.

15 16 Concurring in Amendments Adding Urgency Section

17
18 27. When a bill that has been passed in one house is amended
19 in the other by the addition of a section providing that the act
20 shall take effect immediately as an urgency statute, and is
21 returned to the house in which it originated for concurrence in the
22 amendment or amendments thereto, the procedure and vote
23 thereon shall be as follows:

24 The presiding officer shall first direct that the urgency section
25 be read and put to a vote. If two-thirds of the membership of the
26 house vote in the affirmative, the presiding officer shall then
27 direct that the question of whether the house shall concur in the
28 amendment or amendments shall be put to a vote. If two-thirds of
29 the membership of the house vote in the affirmative, concurrence
30 in the amendments shall be effective.

31 If the affirmative vote on either of the questions is less than
32 two-thirds of the membership of the house, the effect is a refusal
33 to concur in the amendment or amendments, and the procedure
34 thereupon shall be as provided in Rule 28.

35 36 When Senate or Assembly Refuses to Concur

37
38 28. If the Senate (if it is a Senate bill) or the Assembly (if it is
39 an Assembly bill) refuses to concur in amendments to the bill
40 made by the other house, and the other house has been notified of

1 the refusal to concur, a conference committee shall be appointed
2 for each house in the manner prescribed by these rules. The
3 Senate Committee on Rules, on behalf of the Senate, and the
4 Speaker of the Assembly, on behalf of the Assembly, shall each
5 appoint a committee of three on conference, and the Secretary of
6 the Senate or the Chief Clerk of the Assembly shall immediately
7 notify the other house of the action taken.

8
9 Committee on Conference

10
11 28.1. (a) The Senate Committee on Rules and the Speaker of
12 the Assembly, in appointing a committee on conference, shall
13 each select two members from those voting with the majority on
14 the point about which the difference has arisen, and the other
15 member from the minority, in the event there is a minority vote.

16 Whether a member has voted with the majority or minority on
17 the point about which the difference has arisen is determined by
18 his or her vote on the appropriate rollcall, as follows:

19 (1) In the Assembly—

20 (A) The rollcall on the question of final passage of a Senate bill
21 amended in the Assembly when the Senate has refused to concur
22 with the Assembly amendments.

23 (B) The rollcall on the question of concurrence with Senate
24 amendments to an Assembly bill.

25 (2) In the Senate—

26 (A) The rollcall on the question of final passage of an
27 Assembly bill amended in the Senate when the Assembly has
28 refused to concur with the Senate amendments.

29 (B) The rollcall on the question of concurrence with Assembly
30 amendments to a Senate bill.

31 (b) Either house may suspend this rule by a two-thirds vote of
32 the membership of the house.

33
34 Meetings and Reports of Committees on Conference

35
36 29. The first Senator named on the conference committee shall
37 act as chairman or chairwoman of the committee from the
38 Senate, and the first Member of the Assembly named on the
39 committee shall act as chairman or chairwoman of the committee
40 from the Assembly. The chairman or chairwoman of the

1 committee on conference for the house of origin of the bill shall
2 arrange the time and place of meeting of the conference
3 committee, and shall prepare or direct the preparation of reports.
4 It shall require an affirmative vote of not less than two of the
5 Assembly Members and two of the Senate Members constituting
6 the committee on conference to agree upon a report, and the
7 report shall be submitted to both the Senate and the Assembly.
8 The committee on conference shall report to both the Senate and
9 the Assembly. The report is not subject to amendment. If either
10 house refuses to adopt the report, the conferees shall be
11 discharged and other conferees appointed, except that no more
12 than three different conference committees may be appointed on
13 any one bill. A member who has served on a committee on
14 conference may not be appointed a member of another committee
15 on conference on the same bill. It shall require the same
16 affirmative recorded vote to adopt any conference report as
17 required by the California Constitution upon the final passage of
18 the bill affected by the report. It shall require an affirmative
19 recorded vote of two-thirds of the entire elected membership of
20 each house to adopt any conference report affecting any bill that
21 contains an item or items of appropriation that are subject to
22 subdivision (d) of Section 12 of Article IV of the California
23 Constitution. The report of a conference committee shall be in
24 writing, and shall have affixed thereto the signatures of each
25 Senator and each Member of the Assembly consenting to the
26 report. Space shall also be provided where a member of a
27 conference committee may indicate his or her dissent in the
28 committee's findings. Any dissenting member may have attached
29 to a conference committee report a dissenting report which shall
30 not exceed, in length, the majority committee report. A copy of
31 any amendments proposed in the majority report shall be placed
32 on the desk of each member of the house before it is acted upon
33 by the house.
34 The vote on concurrence or upon the adoption of the
35 conference report shall be deemed the vote upon final passage of
36 the bill.

37
38 Conference Committees
39

1 29.5. (a) All meetings of any conference committee on the
2 Budget Bill shall be open and readily accessible to the public.

3 A conference committee on any bill may not meet, consider, or
4 act on the subject matter of the bill except in a meeting that is
5 open and readily accessible to the public, unless the action is on
6 a report determined by the Legislative Counsel to be
7 nonsubstantive. The Legislative Counsel shall examine each
8 proposed report and shall note upon the face of the report that the
9 amendments proposed are “substantive” or “nonsubstantive” as
10 the case may be.

11 The chairman or chairwoman of the conference committee of
12 each house shall give notice to the File Clerk of their respective
13 houses of the time and place of the meeting. Notice of each
14 public meeting shall be published in the Daily File of each house
15 one calendar day prior to the meeting, except that the notice is
16 not required for a meeting of a conference committee on the
17 Budget Bill. When this subdivision is waived with respect to a
18 meeting of any public conference committee, or when there is a
19 meeting of a conference committee on the Budget Bill, every
20 effort shall be made to inform the public that a meeting has been
21 called. When this subdivision has been waived with respect to the
22 meeting of any public conference committee, the chairman or
23 chairwoman of the conference committee of each house shall
24 immediately notify the chairman or chairwoman of the policy
25 committee of their respective houses that considered the bill in
26 question of the waiver, and of the time and place of the meeting.

27 (b) The first committee on conference of the Budget Bill, if a
28 committee is appointed, shall submit its report to each house no
29 later than 15 days after the Budget Bill has been passed by both
30 houses. If the report is not submitted by that date, the conference
31 committee shall be deemed to have reached no agreement and
32 shall so inform each house pursuant to Rule 30.7.

33 (c) A committee on conference of the Budget Bill may
34 consider only differences between the Assembly version of the
35 Budget Bill as passed by the Assembly and the Senate version of
36 the Budget Bill as passed by the Senate, and may not approve
37 any item of expenditure or control that exceeds that contained in
38 one of the two versions before the conference committee.

39 (d) A conference committee on any bill, other than the Budget
40 Bill, may not approve any substantial financial provision in any

1 bill if the financial provision has not been heard by the fiscal
2 committee of each house, nor may any conference committee
3 approve substantial policy changes that have not been heard by
4 the policy committee of each house.

5 (e) A waiver of the one-calendar-day Daily File notice
6 requirement of subdivision (a) is not effective for longer than
7 three calendar days.

8 9 Conference Committee Reports

10
11 30. Upon submission of any report of a committee on
12 conference recommending that the bill be further amended, the
13 bill shall be reprinted incorporating the amendments
14 recommended by the conference committee. The consideration of
15 the report of a committee on conference is not in order until the
16 bill, in the form recommended by the report of the committee on
17 conference, has both been in print and been noticed in the Daily
18 File for not less than one legislative day.

19 If the conference committee's report recommends only that the
20 amendments of the Senate or the Assembly "be concurred in,"
21 consideration of the report shall be in order at any time, and
22 reprinting of the bill is not required, but notice shall appear in the
23 Daily File for not less than one legislative day.

24 A conference committee report is not in order unless it has
25 been received by the Secretary of the Senate and the Chief Clerk
26 of the Assembly at least three calendar days preceding the
27 scheduled commencement of the summer, interim, or final recess
28 of the Legislature.

29 This rule may be suspended as to any particular conference
30 committee report by a two-thirds vote of the membership of
31 either house.

32 This rule does not apply to a report of a committee on
33 conference on the Budget Bill.

34 35 Conference Committee Reports on Urgency Statutes

36
37 30.5. When the report of a committee on conference
38 recommends the amendment of a bill by the addition of a section
39 providing that the act shall take effect immediately as an urgency
40 statute, the procedure and the vote thereon shall be as follows:

1 The presiding officer shall first direct that the urgency section
2 be read and put to a vote. If two-thirds of the members elected to
3 the house vote in the affirmative, the presiding officer shall then
4 direct that the question of whether the house shall adopt the
5 report of the committee on conference shall be put to a vote. If
6 two-thirds of the members elected to the house vote in the
7 affirmative, the adoption of the report and the amendments
8 proposed thereby shall be effective.

9 If the affirmative vote on either of the questions is less than
10 two-thirds of the members elected to the house, the effect is a
11 refusal to adopt the report of the committee on conference.

12 13 Failure to Agree on Report 14

15 30.7. A conference committee may find and determine that it is
16 unable to submit a report to the respective houses, upon the
17 affirmative vote to that effect of not less than two of the
18 Assembly Members and not less than two of the Senate Members
19 constituting the committee. That finding may be submitted to the
20 Chief Clerk of the Assembly and the Secretary of the Senate in
21 the form of a letter from the chairman or chairwoman of the
22 committee on conference for the house of origin of the bill,
23 containing the signatures of the members of the committee
24 consenting to the finding and determination that the committee is
25 unable to submit a report. The Chief Clerk of the Assembly and
26 the Secretary of the Senate, upon being notified that a conference
27 committee is unable to submit a report, shall so inform each
28 house, whereupon the conferees shall be discharged and other
29 conferees appointed, in accordance with Rule 29.

30 31 MISCELLANEOUS PROVISIONS 32

33 34 Authority When Rules Do Not Govern 35

36 31. All relations between the houses that are not covered by
37 these rules shall be governed by Mason's Manual.

38 39 Press Rules 40

1 32. (a) Any person desiring privileges of an accredited press
2 representative shall make application to the Joint Rules
3 Committee. The application shall constitute compliance with any
4 provisions of the rules of the Assembly or the Senate with respect
5 to registration of news correspondents. The application shall state
6 in writing the name of any daily newspaper, periodic publication,
7 news association, or radio or television station that employs the
8 press representative, and any other occupations or employment
9 he or she may have. The press representative shall further declare
10 in the application that he or she is not employed, directly or
11 indirectly, to assist in the prosecution of the legislative business
12 of any person, corporation, or association, and will not become
13 so employed while retaining the privilege of an accredited press
14 representative.

15 (b) The application required by subdivision (a) of this rule shall
16 be authenticated in a manner that is satisfactory to the Standing
17 Committee of the Capitol Correspondents Association, which
18 shall see that occupation of seats and desks in the Senate and the
19 Assembly Chambers is confined to bona fide correspondents of
20 reputable standing in their business, who represent daily
21 newspapers requiring a daily file of legislative news, qualified
22 periodic publications, or news associations requiring daily
23 telegraphic or radio or television service on legislative news. It is
24 the duty of the standing committee, at its discretion, to report any
25 violation of accredited press privileges to the Speaker of the
26 Assembly or the Senate Committee on Rules and, pending action
27 thereon, the offending correspondent may be suspended by the
28 standing committee.

29 (c) Except as otherwise provided in this subdivision, persons
30 engaged in other occupations whose chief attention is not given
31 to newspaper correspondence or to news associations requiring
32 telegraphic or radio or television service are not entitled to the
33 privileges accorded accredited press representatives. The press
34 list in the Handbook of the California Legislature and the Senate
35 and Assembly Histories shall be a list of only those persons
36 authenticated by the Standing Committee of the Capitol
37 Correspondents Association. Accreditation may be granted to
38 any bona fide correspondent of reputable standing employed by a
39 periodic publication of general circulation if the applicant is
40 employed on a full-time basis in the Capitol area preparing

1 articles dealing with state government and politics and the
2 publication is not an organ or organization involved in legislative
3 advocacy.

4 (d) The press seats and desks in the Senate and Assembly
5 Chambers shall be under the control of the standing committee of
6 correspondents, subject to the approval and supervision of the
7 Speaker of the Assembly and the Senate Committee on Rules.
8 Press cards shall be issued by the President of the Senate and the
9 Speaker of the Assembly only to correspondents properly
10 accredited in accordance with this rule.

11 (e) One or more rooms shall be assigned for the exclusive use
12 of correspondents during the legislative session, which rooms
13 shall be known as the Press Room. The Press Room shall be
14 under the control of the Chief of the Office of Buildings and
15 Grounds, provided that all rules and regulations must be
16 approved by the Senate Committee on Rules and the Speaker of
17 the Assembly.

18 (f) An accredited member of the Capitol Correspondents
19 Association may not, for compensation, perform any service for
20 state constitutional officers or members of their staffs, for state
21 agencies, for the Legislature, for candidates for state office, for a
22 state officeholder, or for any person registered or performing as a
23 legislative advocate.

24 (g) An accredited member of the association who violates
25 subdivision (a) or (f) of this rule shall be subject to the following
26 penalties:

27 (1) For the first offense, the Standing Committee of the Capitol
28 Correspondents Association shall send a letter of admonition to
29 the offending member, his or her employer, and the Joint Rules
30 Committee. The letter shall state the nature of the member's rule
31 violation and shall warn of an additional penalty for a second
32 offense.

33 (2) For a second offense, the Standing Committee of the
34 Capitol Correspondents Association shall recommend to the Joint
35 Rules Committee that the member's accreditation be suspended
36 or revoked and that he or she lose all rights and privileges
37 attached thereto. The Standing Committee of the Capitol
38 Correspondents Association shall also dismiss the member from
39 the association.

1 Any member of the Standing Committee of the Capitol
2 Correspondents Association may propose that the committee
3 make an inquiry to determine if an association member has
4 violated subdivision (a) or (f) of this rule. Upon a majority vote
5 of the Standing Committee of the Capitol Correspondents
6 Association, an inquiry shall be made.

7 Upon receipt of a signed, written notice from any association
8 member of his or her belief that another association member may
9 have violated subdivision (a) or (f) of this rule, the Standing
10 Committee of the Capitol Correspondents Association shall
11 commence an inquiry into the possible violation.

12 If the Standing Committee of the Capitol Correspondents
13 Association determines by majority vote that an association
14 member has violated an association rule, it shall inform the
15 member of its finding. Within two weeks of notification, the
16 member may request a meeting of the membership. If the
17 member makes that request, the Standing Committee of the
18 Capitol Correspondents Association shall promptly schedule a
19 meeting at the earliest possible time. After hearing the member
20 and the committee review the circumstances of the alleged
21 violation, the membership may, by majority vote, nullify the
22 finding of the Standing Committee of the Capitol Correspondents
23 Association. If nullification does not occur, the Standing
24 Committee of the Capitol Correspondents Association
25 immediately shall impose the appropriate penalty.

26 27 Dispensing With Joint Rules 28

29 33. A joint rule may not be dispensed with except by a vote of
30 two-thirds of each house or as otherwise provided in these rules.
31 If either house violates a joint rule, a question of order may be
32 raised in the other house and decided in the same manner as in
33 the case of the violation of the rules of the house. If it is decided
34 that the joint rules have been violated, the bill involving the
35 violation shall be returned to the house in which it originated,
36 and the disputed matter shall be considered in like manner as in
37 conference committee.

38 39 Dispensing with Joint Rules: Unanimous Consent 40

1 33.1. Notwithstanding any other rule, a joint rule that may be
2 dispensed with by one house may be done so by unanimous
3 consent if the rules committee of that house has approved.
4

5 Opinions of Legislative Counsel
6

7 34. Whenever the Legislative Counsel issues an opinion to any
8 person other than the first-named author analyzing the
9 constitutionality, operation, or effect of a bill or other legislative
10 measure that is then pending before the Legislature or of any
11 amendment made or proposed to be made to the bill or measure,
12 he or she is authorized and instructed to deliver two copies of the
13 opinion to the first-named author as promptly as feasible after the
14 delivery of the original opinion and also to deliver a copy to any
15 other author of the bill or measure who so requests. A copy of
16 any letter prepared by the Legislative Counsel for the sole
17 purpose of advising a member of a conflict between two or more
18 bills as to the sections of law being amended, repealed, or added
19 shall be submitted to the chairman or chairwoman of the
20 committee to which each bill has been referred.
21

22 Resolutions Prepared by Legislative Counsel
23

24 34.1. Whenever the Legislative Counsel has been requested to
25 draft a resolution commemorating or taking note of any event, or
26 a resolution congratulating or expressing sympathy toward any
27 person, and subsequently receives a similar request from another
28 Member of the Legislature, he or she shall inform that requester
29 and each subsequent requester that a resolution is being, or has
30 been, prepared, and shall inform them of the name of the member
31 for whom the resolution was, or is being, prepared.
32

33 Resolutions
34

35 34.2. A concurrent resolution, Senate resolution, or House
36 resolution may be introduced to memorialize the death of a
37 present or former state or federal elected official or a member of
38 his or her immediate family. In all other instances, a resolution
39 other than a concurrent resolution, as specified by the Committee
40 on Rules of each house, or as provided by the Joint Rules

1 Committee in those cases requiring that the resolution should
2 emanate from both houses, shall be used for the purpose of
3 commendation, congratulation, sympathy, or regret with respect
4 to any person, group, or organization.

5 A concurrent resolution requesting the Governor to issue a
6 proclamation may not be introduced without the prior approval of
7 the Committee on Rules of the house in which the resolution is to
8 be introduced.

10 Identical Drafting Requests

11
12 34.5. Whenever it comes to the attention of the Legislative
13 Counsel that a member has requested the drafting of a bill that
14 will be substantially identical to one already introduced, the
15 Legislative Counsel shall inform the member of that fact.

17 Expense of Members

18
19 35. As provided in Section 8902 of the Government Code, each
20 Member of the Legislature is entitled to reimbursement for living
21 expenses while required to be in Sacramento to attend a session
22 of the Legislature, while traveling to and from or in attendance at
23 a committee meeting, or while attending to any legislative
24 function or responsibility as authorized or directed by legislative
25 rules or the Committee on Rules of the house of which he or she
26 is a member, at the same rate as may be established by the State
27 Board of Control for other elected state officers. Each member
28 shall be reimbursed for travel expenses incurred in traveling to
29 and from a session of the Legislature, when traveling to and from
30 a meeting of a committee of which he or she is a member, or
31 when traveling pursuant to any other legislative function or
32 responsibility as authorized or directed by legislative rules or the
33 Committee on Rules of the house of which he or she is a
34 member, at the rate prescribed by Section 8903 of the
35 Government Code.

36 Expense allowances for Members of the Senate and Assembly
37 shall be approved and certified to the Controller by the Secretary
38 of the Senate, on behalf of the Senate, and the Chief Clerk of the
39 Assembly or other person authorized by the Assembly
40 Committee on Rules, on behalf of the Assembly, weekly or as

1 otherwise directed by either house, and upon certification the
2 Controller shall draw his or her warrants in payment of the
3 allowances to the respective members.

4
5 Issuance of Subpoenas
6

7 35.5. A subpoena requiring the attendance of a witness or the
8 production of documents may be issued by the Senate Committee
9 on Rules, the Speaker of the Assembly, or the chairman or
10 chairwoman of a committee conducting an investigation only if
11 permission has been secured from the rules committee of the
12 respective house, or from the Joint Rules Committee if the
13 subpoena is issued by the chairman or chairwoman of a joint
14 committee.

15
16 Investigating Committees
17

18 36. In order to expedite the work of the Legislature, either
19 house, or both houses jointly, may by resolution or statute
20 provide for the appointment of committees to ascertain facts and
21 to make recommendations as to any subject within the scope of
22 legislative regulation or control.

23 The resolution providing for the appointment of a committee
24 pursuant to this rule shall state the purpose of the committee and
25 the scope of the subject concerning which it is to act, and may
26 authorize it to act either during sessions of the Legislature or,
27 when authorization may lawfully be made, after final
28 adjournment.

29 In the exercise of the power granted by this rule, each
30 committee may employ clerical, legal, and technical assistants as
31 may be authorized by: (a) the Joint Rules Committee in the case
32 of a joint committee, (b) the Senate Committee on Rules in the
33 case of a Senate committee, or (c) the Assembly Committee on
34 Rules in the case of an Assembly committee.

35 Except as otherwise provided herein for joint committees or by
36 the rules of the Senate or the Assembly for single house
37 committees, each committee may adopt and amend rules
38 governing its procedure as may appear necessary and proper to
39 carry out the powers granted and duties imposed under this rule.
40 The rules may include provisions fixing the quorum of the

1 committee and the number of votes necessary to take action on
2 any matter. With respect to all joint committees, a majority of the
3 membership from each house constitutes a quorum, and an
4 affirmative vote of a majority of the membership from each
5 house is necessary for the committee to take action.

6 Each committee is authorized and empowered to summon and
7 subpoena witnesses, to require the production of papers, books,
8 accounts, reports, documents, records, and papers of every kind
9 and description, to issue subpoenas, and to take all necessary
10 means to compel the attendance of witnesses and to procure
11 testimony, oral and documentary. A committee's issuance of a
12 subpoena shall comply with Rule 35.5.

13 Each member of the committees is authorized and empowered
14 to administer oaths, and all of the provisions of Chapter 4
15 (commencing with Section 9400) of Part 1 of Division 2 of Title
16 2 of the Government Code, relating to the attendance and
17 examination of witnesses before the Legislature and the
18 committees thereof, apply to the committees. A committee may
19 grant a witness immunity from criminal prosecution, pursuant to
20 subdivision (a) of Section 9410 of the Government Code, only
21 after securing permission from the rules committee of the
22 respective house, or from the Joint Rules Committee in the case
23 of a joint committee.

24 The Sergeant at Arms of the Senate or Assembly, or other
25 person as may be designated by the chairman or chairwoman of
26 the committee, shall serve any and all subpoenas, orders, and
27 other process that may be issued by the committee, when directed
28 to do so by the chairman or chairwoman, or by a majority of the
29 membership of the committee.

30 Every department, commission, board, agency, officer, and
31 employee of the state government, including the Legislative
32 Counsel and the Attorney General and their subordinates, and of
33 every political subdivision, county, city, or public district of or in
34 this state, shall give and furnish to these committees and to their
35 subcommittees upon request information, records, and
36 documents as the committees deem necessary or proper for the
37 achievement of the purposes for which each committee was
38 created.

39 Each committee or subcommittee of either house, in
40 accordance with the rules of that respective house, and each joint

1 committee or subcommittee thereof, may meet at any time during
2 the period in which it is authorized to act, either at the State
3 Capitol or at any other place in the State of California, in public
4 or executive session, and do any and all things necessary or
5 convenient to enable it to exercise the powers and perform the
6 duties herein granted to it or accomplish the objects and purposes
7 of the resolution creating it, subject to the following exceptions:

8 (a) When the Legislature is in session:

9 (1) A committee or subcommittee of either house may not meet
10 outside the State Capitol without the prior approval of the Senate
11 Committee on Rules with respect to Senate committees and
12 subcommittees, or the Speaker of the Assembly with respect to
13 Assembly committees and subcommittees.

14 (2) A committee or subcommittee of either house, other than a
15 standing committee or subcommittee thereof, may not meet
16 unless notice of the meeting has been printed in the Daily File for
17 four days prior thereto. This requirement may be waived by a
18 majority vote of either house with respect to a particular bill.

19 (3) A joint committee or subcommittee thereof, other than the
20 Joint Committees on Legislative Audit, Legislative Budget, and
21 Rules, may not meet outside the State Capitol without the prior
22 approval of the Joint Rules Committee.

23 (4) A joint committee or subcommittee thereof, other than the
24 Joint Committees on Legislative Audit, Legislative Budget, and
25 Rules, may not meet unless notice of the meeting has been
26 printed in the Daily File for four days prior thereto.

27 (b) When the Legislature is in joint recess, each joint
28 committee or subcommittee, other than the Joint Committees on
29 Legislative Audit, Legislative Budget, and Rules, shall notify the
30 Joint Rules Committee at least two weeks prior to a meeting.

31 (c) The requirements placed upon joint committees by
32 subdivisions (a) and (b) of this rule may be waived as deemed
33 necessary by the Joint Rules Committee.

34 Each committee may expend such money as is made available
35 to it for its purpose, but a committee may not incur any
36 indebtedness unless money has been first made available
37 therefor.

38 Living expenses may not be allowed in connection with
39 legislative business for a day on which the member receives
40 reimbursement for expenses while required to be in Sacramento

1 to attend a session of the Legislature. The chairman or
2 chairwoman of each committee shall audit and approve the
3 expense claims of the members of the committee, including
4 claims for mileage in connection with attendance on committee
5 business, or in connection with specific assignments by the
6 committee chairman or chairwoman, but excluding other types of
7 mileage, and shall certify the amount approved to the Controller.
8 The Controller shall draw his or her warrants upon the
9 certification of the chairman or chairwoman.

10 Subject to the rules of each house for the respective
11 committees of each house, or the joint rules for any joint
12 committee, with the permission of the appointing authority of the
13 respective house, or the permission of the appointing authorities
14 of the two houses in the case of a joint committee, the chairman
15 or chairwoman of any committee may appoint subcommittees
16 and chairmen or chairwomen thereof for the purpose of more
17 expeditiously handling and considering matters referred to it, and
18 the subcommittees and the chairmen or chairwomen thereof shall
19 have all the powers and authority herein conferred upon the
20 committee and its chairman or chairwoman. The chairman or
21 chairwoman of a subcommittee shall audit the expense claims of
22 the members of the subcommittee, and other claims and the
23 expenses incurred by it, and shall certify the amount thereof to
24 the chairman or chairwoman of the committee, who shall, if he or
25 she approves the same, certify the amount thereof to the
26 Controller; the Controller shall draw his or her warrant therefor
27 upon that certification, and the Treasurer shall pay the same. Any
28 committee or subcommittee thereof that is authorized to leave the
29 State of California in the performance of its duties shall, while
30 out of the state, have the same authority as if it were acting and
31 functioning within the state, and the members thereof shall be
32 reimbursed for expenses.

33 Notwithstanding any other provision of this rule, if the
34 standing rules of either house require that expense claims of
35 committees for goods or services, pursuant to contracts, or for
36 expenses of employees or members of committees be audited or
37 approved, after approval of the committee chairman or
38 chairwoman, by another agency of either house, the Controller
39 shall draw his or her warrants only upon the certification of the
40 other agency. All expense claims approved by the chairman or

1 chairwoman of any joint committee, other than the Joint
2 Legislative Budget Committee and the Joint Legislative Audit
3 Committee, shall be approved by the Joint Rules Committee, and
4 the Controller shall draw his or her warrants only upon the
5 certification of the Joint Rules Committee.

6 Except salary claims of employees clearly subject to federal
7 withholding taxes and the requirement as to loyalty oaths, claims
8 presented for services or pursuant to contract shall refer to the
9 agreement, the terms of which shall be made available to the
10 Controller.

11
12 Expenses of Committee Employees
13

14 36.1. Unless otherwise provided by respective house or
15 committee rule or resolution, employees of legislative
16 committees, when entitled to traveling expenses, are entitled to
17 allowances in lieu of actual expenses for hotel accommodations,
18 breakfast, lunch, and dinner, at the rates fixed by the State Board
19 of Control from time to time in limitation of reimbursement of
20 expenses of state employees generally. However, if an allowance
21 for hotel accommodations, breakfast, lunch, and dinner is made
22 by a committee at a rate in excess of the rate fixed by the State
23 Board of Control, the chairman or chairwoman of the committee
24 shall notify the Controller of that fact in writing.
25

26 Appointment of Committees
27

28 36.5. This rule applies whenever a joint committee is created
29 by a statute or resolution that either provides that appointments
30 be made and vacancies be filled in the manner provided for in the
31 Joint Rules, or makes no provision for the appointment of
32 members or the filling of vacancies.

33 The Senate members of the committee shall be appointed by
34 the Senate Committee on Rules; the Assembly members of the
35 committee shall be appointed by the Speaker of the Assembly;
36 and vacancies occurring in the membership of the committee
37 shall be filled by the respective appointing powers. The members
38 appointed shall hold over until their successors are regularly
39 selected.
40

1 Appointment of Joint Committee Chairmen or Chairwomen

2
3 36.7. The chairman or chairwoman of each joint committee
4 heretofore or hereafter created, except the Joint Legislative
5 Budget Committee and the Joint Legislative Audit Committee,
6 shall be appointed by the Joint Rules Committee from a member
7 or members recommended by the Senate Committee on Rules
8 and the Speaker of the Assembly.

9
10 Joint Committee Funds

11
12 36.8. Each joint committee heretofore or hereafter created,
13 except the Joint Legislative Budget Committee and the Joint
14 Legislative Audit Committee, shall expend the funds heretofore
15 or hereafter made available to it in compliance with the policies
16 set forth by the Joint Rules Committee with respect to personnel,
17 salaries, purchasing, office space assignment, contractual
18 services, rental or lease agreements, travel, and any and all other
19 matters relating to the management and administration of
20 committee affairs.

21
22 Joint Legislative Budget Committee

23
24 37. In addition to any other committee provided for by these
25 rules, there is a joint committee to be known as the Joint
26 Legislative Budget Committee, which is hereby declared to be a
27 continuing body.

28 It is the duty of the committee to ascertain facts and make
29 recommendations to the Legislature and to the houses thereof
30 concerning the State Budget, the revenues and expenditures of
31 the state, and the organization and functions of the state and its
32 departments, subdivisions, and agencies, with a view to reducing
33 the cost of the state government and securing greater efficiency
34 and economy.

35 The committee consists of eight Members of the Senate and
36 eight Members of the Assembly. The Senate members of the
37 committee shall be appointed by the Senate Committee on Rules.
38 The Assembly members of the committee shall be appointed by
39 the Speaker of the Assembly. The committee shall select its own
40 chairman or chairwoman.

1 Any vacancy occurring at any time in the Senate membership
2 of the Joint Legislative Budget Committee shall be filled by the
3 Senate Committee on Rules, and the Senators appointed shall
4 hold over until their successors are regularly selected. For the
5 purposes of this rule, a vacancy shall be deemed to exist as to a
6 Senator whose term is expiring whenever he or she is not
7 reelected at the general election.

8 Any vacancy occurring at any time in the Assembly
9 membership of the Joint Legislative Budget Committee shall be
10 filled by appointment by the Speaker of the Assembly, and the
11 Members of the Assembly appointed shall hold over between
12 regular sessions until their successors are regularly selected. For
13 the purposes of this rule, a vacancy shall be deemed to exist as to
14 a Member of the Assembly whose term is expiring whenever he
15 or she is not reelected at the general election.

16 The committee may adopt rules to govern its own proceedings
17 and its employees. The committee, with the permission of the
18 appointing authorities of the two houses, may also create
19 subcommittees from its membership, assigning to its
20 subcommittees any study, inquiry, investigation, or hearing that
21 the committee itself has authority to undertake or hold. A
22 subcommittee for the purpose of this assignment has and may
23 exercise all the powers conferred upon the committee, limited
24 only by the express terms of any rule or resolution of the
25 committee defining the powers and duties of the subcommittee.
26 Those powers may be withdrawn or terminated at any time by the
27 committee.

28 The Joint Legislative Budget Committee may render services
29 to any investigating committee of the Legislature pursuant to
30 contract between the Joint Legislative Budget Committee and the
31 committee for which the services are to be performed. The
32 contract may provide for payment to the Joint Legislative Budget
33 Committee of the cost of the services from the funds
34 appropriated to the contracting investigating committee. All
35 legislative investigating committees are authorized to enter into
36 those contracts with the Joint Legislative Budget Committee.
37 Money received by the Joint Legislative Budget Committee
38 pursuant to any agreement shall be in augmentation of the current
39 appropriation for the support of the Joint Legislative Budget
40 Committee.

1 The provisions of Rule 36 shall apply to the Joint Legislative
2 Budget Committee, which has all the authority provided in that
3 rule or pursuant to Section 11 of Article IV of the California
4 Constitution.

5 The committee has authority to appoint a Legislative Analyst,
6 to fix his or her compensation, to prescribe his or her duties, and
7 to appoint any other clerical and technical employees as may
8 appear necessary. The duties of the Legislative Analyst are as
9 follows:

10 (1) To ascertain the facts and make recommendations to the
11 Joint Legislative Budget Committee and, under its direction, to
12 the committees of the Legislature concerning:

13 (a) The State Budget.

14 (b) The revenues and expenditures of the state.

15 (c) The organization and functions of the state and its
16 departments, subdivisions, and agencies.

17 (2) To assist the Senate Budget and Fiscal Review Committee
18 and the Assembly Committees on Appropriations and Budget in
19 consideration of the Budget, all bills carrying express or implied
20 appropriations, and all legislation affecting state departments and
21 their efficiency; to appear before any other legislative committee;
22 and to assist any other legislative committee upon instruction by
23 the Joint Legislative Budget Committee.

24 (3) To provide all legislative committees and Members of the
25 Legislature with information obtained under the direction of the
26 Joint Legislative Budget Committee.

27 (4) To maintain a record of all work performed by the
28 Legislative Analyst under the direction of the Joint Legislative
29 Budget Committee, and to keep and make available all
30 documents, data, and reports submitted to him or her by any
31 Senate, Assembly, or joint committee. The committee may meet
32 either during sessions of the Legislature, any recess thereof, or
33 after final adjournment, and may meet or conduct business at any
34 place within the State of California.

35 The chairman or chairwoman of the committee or, in the event
36 of that person's inability to act, the vice chairman or vice
37 chairwoman, shall audit and approve the expenses of members of
38 the committee or salaries of the employees, and all other
39 expenses incurred in connection with the performance of its
40 duties by the committee. The chairman or chairwoman shall

1 certify to the Controller the expense amount approved, the
2 Controller shall draw his or her warrants upon the certification of
3 the chairman or chairwoman, and the Treasurer shall pay the
4 same to the chairman or chairwoman of the committee, to be
5 disbursed by the chairman or chairwoman.

6 On and after the commencement of a succeeding regular
7 session, those members of the committee who continue to be
8 Members of the Senate and Assembly, respectively, continue as
9 members of the committee until their successors are appointed,
10 and the committee continues with all its powers, duties,
11 authority, records, papers, personnel, and staff, and all funds
12 theretofore made available for its use.

13 Upon the conclusion of its work, any Assembly, Senate, or
14 joint committee (other than a standing committee) shall deliver to
15 the Legislative Analyst for use and custody all documents, data,
16 reports, and other materials that have come into the possession of
17 the committee and that are not included within the final report of
18 the committee to the Assembly, Senate, or the Legislature, as the
19 case may be. The documents, data, reports, and other materials
20 shall be available, upon request, to Members of the Legislature,
21 the Senate Office of Research, and the Assembly Office of
22 Research.

23 The Legislative Analyst, with the consent of the committee,
24 shall make available to any Member or committee of the
25 Legislature any other reports, records, documents, or other data
26 under his or her control, except that reports prepared by the
27 Legislative Analyst in response to a request from a Member or
28 committee of the Legislature may be made available only with
29 the written permission of the member or committee who made
30 the request.

31 The Legislative Analyst, upon the receipt of a request from any
32 committee or Member of the Legislature to conduct a study or
33 provide information that falls within the scope of his or her
34 responsibilities and that concerns the administration of the
35 government of the State of California, shall at once advise the
36 Joint Legislative Budget Committee of the nature of the request
37 without disclosing the name of the member or committee making
38 the request.

39 The Legislative Analyst shall immediately undertake to
40 provide the requesting committee or legislator with the service or

1 information requested, and shall inform the committee or
2 legislator of the approximate date when this information will be
3 available. Should there be any material delay, he or she shall
4 subsequently communicate this fact to the requester.

5 Neither the Committee on Rules of either house nor the Joint
6 Rules Committee may assign any matter for study to the Joint
7 Legislative Budget Committee or the Legislative Analyst without
8 first obtaining from the Joint Legislative Budget Committee an
9 estimate of the amount required to be expended by it to make the
10 study.

11 Any concurrent, joint, Senate, or House resolution assigning a
12 study to the Joint Legislative Budget Committee or to the
13 Legislative Analyst shall be referred to the respective rules
14 committees. Before the committees may act upon or assign the
15 resolution, they shall obtain an estimate from the Joint
16 Legislative Budget Committee of the amount required to be
17 expended to make the study.

18 Citizen Cost Impact Report

19
20
21 37.1. Any Member or committee of the Legislature may
22 recommend that the Legislative Analyst prepare a citizen cost
23 impact analysis on proposed legislation. However, the
24 recommendation shall first be reviewed by the Committee on
25 Rules of the house where the recommendation originated, and
26 this committee shall make the final determination as to which
27 bills shall be assigned for preparation of an impact analysis.

28 In selecting specific bills for assignment to the Legislative
29 Analyst for preparation of citizen cost impact analyses, the
30 Committee on Rules shall request the Legislative Analyst to
31 present an estimate of his or her time and prospective costs for
32 preparing the analyses. Only those bills that have a potential
33 significant cost impact shall be assigned. Where necessary, the
34 Committee on Rules shall provide funds to offset added costs
35 incurred by the Legislative Analyst.

36 The citizen cost impact analyses shall include those economic
37 effects that the Legislative Analyst deems significant and that he
38 or she believes will result directly from the proposed legislation.
39 Insofar as feasible, the economic effects considered by the

1 Legislative Analyst shall include, but not be limited to, the
2 following:

3 (a) The economic effect on the public generally.

4 (b) Any specific economic effect on persons or businesses in
5 the case of legislation that is regulatory.

6 The Legislative Analyst shall submit the citizen cost impact
7 analyses to the committee or committees when completed, and at
8 the time or times designated by the Committee on Rules.

9 The Legislative Analyst shall submit from time to time, but at
10 least once a year, a report to the Legislature on the trends and
11 directions of the state's economy, and shall list the alternatives
12 and make recommendations as to legislative actions that, in his or
13 her judgment, will insure a sound and stable state economy.

14
15 Joint Legislative Audit Committee

16
17 37.3. The Joint Legislative Audit Committee is created
18 pursuant to the Legislature's rulemaking authority under the
19 California Constitution, and pursuant to Chapter 4 (commencing
20 with Section 10500) of Part 2 of Division 2 of Title 2 of the
21 Government Code. The committee consists of seven Members of
22 the Senate and seven Members of the Assembly, who shall be
23 selected in the manner provided for in these rules.
24 Notwithstanding any other provision of these rules, four
25 members from each house constitute a quorum of the Joint
26 Legislative Audit Committee and the number of votes necessary
27 to take action on any matter. The Chairman or Chairwoman of
28 the Joint Legislative Audit Committee, upon receiving a request
29 by any Member of the Legislature or committee thereof for a
30 copy of a report prepared or being prepared by the Bureau of
31 State Audits, shall provide the member or committee with a copy
32 of the report when it is, or has been, submitted by the Bureau of
33 State Audits to the Joint Legislative Audit Committee.

34
35 Study or Audits

36
37 37.4. (a) Notwithstanding any other provision of law, the Joint
38 Legislative Audit Committee shall establish priorities and assign
39 all work to be done by the Bureau of State Audits.

1 (b) Any bill requiring action by the Bureau of State Audits
2 shall contain an appropriation for the cost of any study or audit.

3 (c) Any bill or concurrent, joint, Senate, or House resolution
4 assigning a study to the Joint Legislative Audit Committee or to
5 the Bureau of State Audits shall be referred to the respective
6 rules committees. Before the committees may act upon or assign
7 the bill or resolution, they shall obtain an estimate from the Joint
8 Legislative Audit Committee of the amount required to be
9 expended to make the study.

10
11 Waiver
12

13 37.5. Subdivision (b) of Rule 37.4 may be waived by the Joint
14 Legislative Audit Committee. The chairman or chairwoman of
15 the committee shall notify the Secretary of the Senate, the Chief
16 Clerk of the Assembly, and the Legislative Counsel in writing
17 when subdivision (b) of Rule 37.4 has been waived. If the cost of
18 a study or audit is less than one hundred thousand dollars
19 (\$100,000), the chairman or chairwoman of the committee may
20 exercise the committee's authority to waive subdivision (b) of
21 Rule 37.4.

22
23 Administrative Regulations
24

25 37.7. (a) Any Member of the Senate may request the Senate
26 Committee on Rules, and any Member of the Assembly may
27 request the Speaker of the Assembly, to direct a standing
28 committee or the Office of Research of his or her respective
29 house to study any proposed or existing regulation or group of
30 related regulations. Upon receipt of a request, the Senate
31 Committee on Rules or the Speaker of the Assembly shall, after
32 review, determine whether a study shall be made. In reviewing
33 the request, the Senate Committee on Rules or the Speaker of the
34 Assembly shall determine:

35 (1) The cost of making the study.

36 (2) The potential public benefit to be derived from the study.

37 (3) The scope of the study.

38 (b) The study may consider, among other relevant issues,
39 whether the proposed or existing regulation:

40 (1) Exceeds the agency's statutory authority.

1 (2) Fails to conform to the legislative intent of the enabling
2 statute.

3 (3) Contradicts or duplicates other regulations adopted by
4 federal, state, or local agencies.

5 (4) Involves an excessive delegation of regulatory authority to
6 a particular state agency.

7 (5) Unfairly burdens particular elements of the public.

8 (6) Imposes social or economic costs that outweigh its intended
9 benefits to the public.

10 (7) Imposes unreasonable penalties for violation.

11 The respective reviewing unit shall, in a timely manner,
12 transmit its concerns, if any, to the Senate Committee on Rules or
13 the Speaker of the Assembly, and the promulgating agency.

14 In the event that a state agency takes a regulatory action that
15 the reviewing unit finds to be unacceptable, the unit shall file a
16 report for publication in the Daily Journal of its respective house
17 indicating the specific reasons why the regulatory action should
18 not have been taken. The report may include a recommendation
19 that the Legislature adopt a concurrent resolution requesting the
20 state agency to reconsider its action or that the Legislature enact
21 a statute to restrict the regulatory powers of the state agency
22 taking the action.

23
24 Joint Rules Committee
25

26 40. The Joint Rules Committee is hereby created. The
27 committee has a continuing existence and may meet, act, and
28 conduct its business during sessions of the Legislature or any
29 recess thereof.

30 The committee consists of the members of the Assembly
31 Committee on Rules, the Assembly Majority Floor Leader, the
32 Assembly Minority Floor Leader, the Speaker of the Assembly,
33 four members of the Senate Committee on Rules, and as many
34 Members of the Senate as may be required to maintain equality
35 in the number of Assembly Members and Senators on the
36 committee, to be appointed by the Senate Committee on Rules.
37 Vacancies occurring in the membership shall be filled by the
38 appointing power.

39 The committee and its members have and may exercise all of
40 the rights, duties, and powers conferred upon investigating

1 committees and their members by the Joint Rules of the Senate
2 and Assembly as they are adopted and amended from time to
3 time, which provisions are incorporated herein and made
4 applicable to this committee and its members.

5 The committee shall ascertain facts and make
6 recommendations to the Legislature and to the houses thereof
7 concerning:

8 (a) The relationship between the two houses and procedures
9 calculated to expedite the affairs of the Legislature by improving
10 that relationship.

11 (b) The legislative branch of the state government and any
12 defects or deficiencies in the law governing that branch.

13 (c) Methods whereby legislation is proposed, considered, and
14 acted upon.

15 (d) The operation of the Legislature and the committees
16 thereof, and the means of coordinating the work thereof and
17 avoiding duplication of effort.

18 (e) Aids to the Legislature.

19 (f) Information and statistics for the use of the Legislature, the
20 respective houses thereof, and the members.

21 Any matter of business of either house, the transaction of
22 which would affect the interests of the other house, may be
23 referred to the committee for action if the Legislature is not in
24 recess, and shall be referred to the committee for action if the
25 Legislature is in recess.

26 The committee has the following additional powers and duties:

27 (a) To select a chairman or chairwoman from its membership.
28 The vice chairman or vice chairwoman of the committee shall be
29 one of the Senate members of the committee, to be selected by
30 the Senate Committee on Rules.

31 (b) To allocate space in the State Capitol Building and all
32 annexes and additions thereto as provided by law.

33 (c) To approve, as provided by law, the appearance of the
34 Legislative Counsel in litigation.

35 (d) To contract with other agencies, public or private, for the
36 rendition and affording of services, facilities, studies, and reports
37 to the committee as the committee deems necessary to assist it to
38 carry out the purposes for which it is created.

39 (e) To cooperate with and secure the cooperation of county,
40 city, city and county, and other local law enforcement agencies in

1 investigating any matter within the scope of this rule, and to
2 direct the sheriff of any county to serve subpoenas, orders, and
3 other process issued by the committee.

4 (f) To report its findings and recommendations, including
5 recommendations for the needed revision of any and all laws and
6 constitutional provisions relating to the Legislature, to the
7 Legislature and to the people from time to time.

8 (g) The committee, and any subcommittee when so authorized
9 by the committee, may meet and act without as well as within the
10 State of California, and are authorized to leave the state in the
11 performance of their duties.

12 (h) To expend funds as may be made available to it to carry out
13 the functions and activities related to the legislative affairs of the
14 Senate and Assembly.

15 (i) To appoint a chief administrative officer of the committee,
16 who shall have duties relating to the administrative, fiscal, and
17 business affairs of the committee as the committee shall
18 prescribe. The committee may terminate the services of the chief
19 administrative officer at any time.

20 (j) To employ persons as may be necessary to assist all other
21 joint committees, except the Joint Legislative Budget Committee
22 and the Joint Legislative Audit Committee, in the exercise of
23 their powers and performance of their duties. In accordance with
24 Rule 36.8, the committee shall govern and administer the
25 expenditure of funds by other joint committees, requiring that the
26 claims of joint committees be approved by the Joint Rules
27 Committee or its designee. All expenses of the committee and of
28 all other joint committees may be paid from the Operating Funds
29 of the Assembly and Senate.

30 (k) To appoint the chairmen or chairwomen of joint
31 committees, as authorized by Rule 36.7.

32 (l) To do any and all other things necessary or convenient to
33 enable it fully and adequately to exercise its powers, perform its
34 duties, and accomplish the objects and purposes of this rule.

35 The members of the Joint Rules Committee from the Senate
36 may meet separately as a unit, and the members of the Joint
37 Rules Committee from the Assembly may meet separately as a
38 unit, and consider any action that is required to be taken by the
39 Joint Rules Committee. If the majority of members of the Joint
40 Rules Committee of each house at the separate meetings vote in

1 favor of that action, the action shall be deemed to be action taken
2 by the Joint Rules Committee.

3 The Joint Rules Committee shall meet not less than biweekly
4 during a session of the Legislature, other than during a joint
5 recess, at a regularly scheduled time and place. If the full
6 committee fails to so meet, the members of the committee from
7 the Senate shall meet separately as a unit and the members of the
8 committee from the Assembly shall meet separately as a unit
9 within five days of the regularly scheduled meeting date.

10 The committee succeeds to, and is vested with, all of the
11 powers and duties of the Joint Committee on Legislative
12 Organization, the State Capitol Committee, the Joint Committee
13 on Interhouse Cooperation, the Joint Legislative Committee for
14 School Visitations, and the Joint Standing Committee on the
15 Joint Rules of the Senate and the Assembly.

16

17 Review of Administrative Regulations

18

19 40.1. The Joint Rules Committee, with regard to joint
20 committees, and the respective rules committee of each house,
21 with regard to standing and select committees of the house, shall
22 approve any request for a priority review made by a committee
23 pursuant to Section 11349.7 of the Government Code and shall
24 submit approved requests to the Office of Administrative Law.
25 The Joint Rules Committee or the respective rules committee,
26 and the committee initiating the request, shall each receive a
27 copy of the priority review.

28

29 Subcommittee on Legislative Space and Facilities

30

31 40.3. (a) A subcommittee of the Joint Rules Committee is
32 hereby created, to be known as the Subcommittee on Legislative
33 Space and Facilities. The subcommittee consists of three
34 Members of the Senate and three Members of the Assembly,
35 appointed by the Chairman or Chairwoman of the Joint Rules
36 Committee, and the chairman or chairwoman of the fiscal
37 committee of each house who shall have full voting rights on the
38 subcommittee. The chairman or chairwoman of the
39 subcommittee shall be appointed by the members thereof. For
40 purposes of this subcommittee, the chairmen or chairwomen of

1 the fiscal committees are ex officio members of the Joint Rules
2 Committee, but do not have voting rights on that committee, nor
3 may they be counted in determining a quorum. The
4 subcommittee shall consider the housing of the Legislature and
5 legislative facilities.

6 (b) The subcommittee and its members have and may exercise
7 all of the rights, duties, and powers conferred upon investigating
8 committees and their members by the Joint Rules of the Senate
9 and Assembly as they are adopted and amended from time to
10 time, which provisions are incorporated herein and made
11 applicable to this subcommittee and its members.

12 (c) The subcommittee has the following additional powers and
13 duties:

14 (1) To contract with other agencies, public or private, for the
15 rendition and affording of services, facilities, studies, and reports
16 to the subcommittee as the committee deems necessary to assist
17 it to carry out the purposes for which it is created.

18 (2) To cooperate with and secure the cooperation of county,
19 city, city and county, and other local law enforcement agencies in
20 investigating any matter within the scope of this rule, and to
21 direct the sheriff of any county to serve subpoenas, orders, and
22 other process issued by the subcommittee.

23 (3) To report its findings and recommendations to the
24 Legislature and to the people from time to time.

25 (4) To do any and all other things necessary or convenient to
26 enable it fully and adequately to exercise its powers, perform its
27 duties, and accomplish the objects and purposes of this rule.

28 (d) The subcommittee is authorized to leave the State of
29 California in the performance of its duties.

30 31 Claims for Workers' Compensation

32
33 41. The Chairman or Chairwoman of the Committee on Rules
34 of each house, or a designated representative, shall sign any
35 required worker's compensation report regarding injuries or
36 death arising out of and within the course of employment
37 suffered by any member, officer, or employee of the house, or
38 any employee of a standing or investigating committee thereof.
39 In the case of a joint committee, the Chairman or Chairwoman of
40 the Committee on Rules of either house, or a designated

1 representative, may sign any report with respect to a member or
2 employee of a joint committee.

3
4 Information Concerning Committees
5

6 42. The Committee on Rules of each house shall provide for a
7 continuous cumulation of information concerning the
8 membership, organization, meetings, and studies of legislative
9 investigating committees. Each Committee on Rules shall be
10 responsible for information concerning the investigating
11 committees of its own house, and concerning joint investigating
12 committees under a chairman or chairwoman who is a member of
13 that house. To the extent possible, each Committee on Rules
14 shall seek to insure that the investigating committees for which it
15 has responsibility under this rule have organized, including the
16 organization of any subcommittees, and have had all topics for
17 study assigned to them within a reasonable period of time.

18 The information thus cumulated shall be made available to the
19 public by the Committee on Rules of each house and shall be
20 published periodically under their joint direction.

21
22 Joint Committees
23

24 43. Any concurrent resolution creating a joint committee of the
25 Legislature and any concurrent resolution allocating moneys
26 from the Operating Funds of the Assembly and Senate to the
27 committee shall be referred to the Committee on Rules of the
28 respective houses.

29
30 Conflict of Interest
31

32 44. (a) A Member of the Legislature may not, while serving,
33 have any interest, financial or otherwise, direct or indirect,
34 engage in any business or transaction or professional activity, or
35 incur any obligation of any nature, that is in substantial conflict
36 with the proper discharge of his or her duties in the public
37 interest and of his or her responsibilities as prescribed by the
38 laws of this state.

39 (b) A Member of the Legislature may not, during the term for
40 which he or she was elected:

1 (1) Accept other employment that he or she has reason to
2 believe will either impair his or her independence of judgment as
3 to his or her official duties, or require him or her, or induce him
4 or her, to disclose confidential information acquired by him or
5 her in the course of and by reason of his or her official duties.

6 (2) Willfully and knowingly disclose, for pecuniary gain, to
7 any other person, confidential information acquired by him or her
8 in the course of and by reason of his or her official duties, or use
9 the information for the purpose of pecuniary gain.

10 (3) Accept or agree to accept, or be in partnership with any
11 person who accepts or agrees to accept, any employment, fee, or
12 other thing of value, or portion thereof, in consideration of his or
13 her appearance, agreeing to appear, or taking of any other action
14 on behalf of another person regarding a licensing or regulatory
15 matter, before any state board or agency that is established by
16 law for the primary purpose of licensing or regulating the
17 professional activity of persons licensed, pursuant to state law.

18 This rule does not prohibit a member who is an attorney at law
19 from practicing in that capacity before the Workers'
20 Compensation Appeals Board or the Commissioner of
21 Corporations, and receiving compensation therefor, or from
22 practicing for compensation before any state board or agency in
23 connection with, or in any matter related to, any case, action, or
24 proceeding filed and pending in any state or federal court. This
25 rule does not prohibit a member from making inquiry for
26 information on behalf of a constituent before a state board or
27 agency, if no fee or reward is given or promised in consequence
28 thereof. The prohibition contained in this rule does not apply to a
29 partnership in which a Member of the Legislature is a member if
30 the Member of the Legislature does not share directly or
31 indirectly in the fee resulting from the transaction, nor does it
32 apply in connection with any matter pending before any state
33 board or agency on the operative date of this rule if the affected
34 Member of the Legislature is attorney of record or representative
35 in the matter prior to the operative date.

36 (4) Receive or agree to receive, directly or indirectly, any
37 compensation, reward, or gift from any source except the State of
38 California for any service, advice, assistance, or other matter
39 related to the legislative process, except fees for speeches or
40 published works on legislative subjects and except, in connection

1 therewith, the reimbursement of expenses for actual expenditures
2 for travel and reasonable subsistence for which no payment or
3 reimbursement is made by the State of California.

4 (5) Participate, by voting or any other action, on the floor of
5 either house, or in committee or elsewhere, in the enactment or
6 defeat of legislation in which he or she has a personal interest,
7 except as follows:

8 (i) If, on the vote for final passage, by the house of which he or
9 she is a member, of the legislation in which he or she has a
10 personal interest, he or she first files a statement (which shall be
11 entered verbatim in the Daily Journal) stating in substance that he
12 or she has a personal interest in the legislation to be voted on and
13 that, notwithstanding that interest, he or she is able to cast a fair
14 and objective vote on the legislation, he or she may cast his or
15 her vote without violating any provision of this rule.

16 (ii) If the member believes that, because of his or her personal
17 interest, he or she should abstain from participating in the vote on
18 the legislation, he or she shall so advise the presiding officer
19 prior to the commencement of the vote and shall be excused from
20 voting on the legislation without any entry in the Daily Journal of
21 the fact of his or her personal interest. In the event that a rule of
22 the house requiring that each member who is present vote aye or
23 nay is invoked, the presiding officer shall order the member
24 excused from compliance and shall order entered in the Daily
25 Journal a simple statement that the member was excused from
26 voting on the legislation pursuant to law.

27 (c) A person subject to this rule has an interest that is in
28 substantial conflict with the proper discharge of his or her duties
29 in the public interest and of his or her responsibilities as
30 prescribed by the laws of this state, or a personal interest, arising
31 from any situation, within the scope of this rule, if he or she has
32 reason to believe or expect that he or she will derive a direct
33 monetary gain or suffer a direct monetary loss, as the case may
34 be, by reason of his or her official activity. He or she does not
35 have an interest that is in substantial conflict with the proper
36 discharge of his or her duties in the public interest and of his or
37 her responsibilities as prescribed by the laws of this state, or a
38 personal interest, arising from any situation, within the scope of
39 this rule, if any benefit or detriment accrues to him or her as a
40 member of a business, profession, occupation, or group to no

1 greater extent than any other member of the business, profession,
2 occupation, or group.

3 (d) A person who is subject to this rule may not be deemed to
4 be engaged in any activity that is in substantial conflict with the
5 proper discharge of his or her duties in the public interest and of
6 his or her responsibilities as prescribed by the laws of this state,
7 or to have a personal interest, arising from any situation, within
8 the scope of this rule, solely by reason of any of the following:

9 (1) His or her relationship to any potential beneficiary of any
10 situation is one that is defined as a remote interest by Section
11 1091 of the Government Code or is otherwise not deemed to be a
12 prohibited interest under Section 1091.1 or 1091.5 of the
13 Government Code.

14 (2) Receipt of a campaign contribution that is regulated,
15 received, reported, and accounted for pursuant to Chapter 4
16 (commencing with Section 84100) of Title 9 of the Government
17 Code, so long as the contribution is not made on the
18 understanding or agreement, in violation of law, that the person's
19 vote, opinion, judgment, or action will be influenced thereby.

20 (e) The enumeration in this rule of specific situations or
21 conditions that are deemed not to result in substantial conflict
22 with the proper discharge of the duties and responsibilities of a
23 legislator or legislative employee, or in a personal interest, may
24 not be construed as exclusive.

25 The Legislature, in adopting this rule, recognizes that Members
26 of the Legislature and legislative employees may need to engage
27 in employment, professional, or business activities other than
28 legislative activities in order to maintain a continuity of
29 professional or business activity, or may need to maintain
30 investments, which activities or investments do not conflict with
31 specific provisions of this rule. However, in construing and
32 administering this rule, weight should be given to any
33 coincidence of income, employment, investment, or other profit
34 from sources that may be identified with the interests represented
35 by those sources that are seeking action of any character on
36 matters then pending before the Legislature.

37 (f) An employee of either house of the Legislature may not,
38 during the time he or she is so employed, commit any act or
39 engage in any activity prohibited by any part of this rule.

1 (g) A person may not induce or seek to induce any Member of
2 the Legislature to violate any part of this rule.

3 (h) A violation of any part of this rule is punishable as
4 provided in Section 8926 of the Government Code.

5
6 Ethics Committees

7
8 45. The Senate Committee on Legislative Ethics and the
9 Assembly Legislative Ethics Committee, respectively, shall
10 receive complaints concerning members of their respective
11 houses, and may investigate and make findings and
12 recommendations concerning violations by members of their
13 respective houses of Article 2 (commencing with Section 8920)
14 of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government
15 Code. Each house shall adopt rules governing the establishment
16 and procedures of the committee of that house.

17
18 Designating Legislative Sessions

19
20 50. Regular sessions shall be identified with the odd-numbered
21 year subsequent to each general election, followed by a hyphen,
22 and then the last two digits of the following even-numbered year.
23 For example: 2003–04 Regular Session.

24
25 Designating Extraordinary Sessions

26
27 50.3. All extraordinary sessions shall be designated in
28 numerical order by the session in which convened.

29
30 Days and Dates

31
32 50.5. (a) As used in these rules, “day” means a calendar day,
33 unless otherwise specified.

34 (b) When the date of a deadline, recess requirement, or
35 circumstance falls on a Saturday, Sunday, or Monday that is a
36 holiday, the date shall be deemed to refer to the preceding Friday.
37 When the date falls on a holiday on a weekday other than a
38 Monday, the date shall be deemed to refer to the preceding day.

39
40 Legislative Calendar

1
2 51. (a) The Legislature shall observe the following calendar
3 during the first year of the regular session:

4 (1) Organizational Recess—The Legislature shall meet on the
5 first Monday in December following the general election to
6 organize. Thereafter, each house shall be in recess from the time
7 it determines until the first Monday in January, except when the
8 first Monday is January 1 or January 1 is a Sunday, in which
9 case, the following Wednesday.

10 (2) Spring Recess—The Legislature shall be in recess from the
11 10th day prior to Easter until the Monday after Easter.

12 (3) Summer Recess—The Legislature shall be in recess from
13 July 15 until August 15. This recess shall not commence until the
14 Budget Bill is passed.

15 (4) Interim Study Recess—The Legislature shall be in recess
16 from September 9 until the first Monday in January, except when
17 the first Monday is January 1 or January 1 is a Sunday, in which
18 case, the following Wednesday.

19 (b) The Legislature shall observe the following calendar for the
20 remainder of the legislative session:

21 (1) Spring Recess—The Legislature shall be in recess from the
22 10th day prior to Easter until the Monday after Easter.

23 (2) Summer Recess—The Legislature shall be in recess from
24 July 7 until August 7. This recess may not commence until the
25 Budget Bill is passed.

26 (3) Final Recess—The Legislature shall be in recess on
27 September 1 until adjournment sine die on November 30.

28 (c) Recesses shall be from the hour of adjournment on the day
29 specified, reconvening at the time designated by the respective
30 houses.

31 (d) The recesses specified by this rule shall be designated as
32 joint recesses.

33
34 Recall From Recess
35

36 52. Notwithstanding the power of the Governor to call a special
37 session, the Legislature may be recalled from joint recess and
38 reconvene in regular session by any of the following means:

39 (a) It may be recalled by joint proclamation, which shall be
40 entered in the Daily Journal, of the Senate Committee on Rules

1 and the Speaker of the Assembly or, in his or her absence from
2 the state, the Assembly Committee on Rules.

3 (b) Ten or more Members of the Legislature may present a
4 request for recall from joint recess to the Chief Clerk of the
5 Assembly and the Secretary of the Senate. The request
6 immediately shall be printed in the Daily Journal. Within 10 days
7 thereafter, the Speaker of the Assembly or, if the Speaker is
8 absent from the state, the Assembly Committee on Rules, and the
9 Senate Committee on Rules shall act upon the request. If they
10 concur in desiring to recall the Legislature from joint recess, they
11 shall issue their joint proclamation to that effect entered in the
12 Daily Journal no later than 20 days after publication of the
13 request in the Daily Journal.

14 (c) If either or both of the parties specified in subdivision (b)
15 does not concur, 10 or more Members of the Legislature may
16 request the Chief Clerk of the Assembly or the Secretary of the
17 Senate to petition the membership of the respective house. The
18 petition shall be entered in the Daily Journal and shall contain a
19 specified reconvening date commencing not later than 20 days
20 after the date of the petition. If two-thirds of the members of the
21 house or each of the two houses concur, the Legislature shall
22 reconvene on the date specified. The necessary concurrences
23 must be received at least 10 days prior to the date specified for
24 reconvening.

25 26 Procedure on Suspending Rules by Single House

27
28 53. Whenever these rules authorize suspension of the Joint
29 Rules as to a particular bill by action of a single house after
30 approval by the Committee on Rules of that house, the following
31 procedure shall be followed:

32 (a) A written request to suspend the joint rule shall be filed
33 with the Chief Clerk of the Assembly or the Secretary of the
34 Senate, as the case may be, and shall be transmitted to the
35 Committee on Rules of the appropriate house.

36 (b) The Assembly Committee on Rules or the Senate
37 Committee on Rules, as the case may be, shall determine whether
38 there exists an urgent need for the suspension of the joint rule
39 with regard to the bill.

1 (c) If the appropriate rules committee recommends that the
2 suspension be permitted, the member may offer a resolution,
3 without further reference thereof to committee, granting
4 permission to suspend the joint rule. The adoption of the
5 resolution granting permission shall require an affirmative
6 recorded vote of the elected members of the house in which the
7 request is made.

8
9 Introduction of Bills
10

11 54. (a) A bill may not be introduced in the first year of the
12 regular session after February 18 and a bill may not be
13 introduced in the second year of the regular session after
14 February 24. These deadlines do not apply to constitutional
15 amendments, committee bills introduced pursuant to Assembly
16 Rule 47 or Senate Rule 23, bills introduced in the Assembly with
17 the permission of the Speaker of the Assembly, or bills
18 introduced in the Senate with the permission of the Senate
19 Committee on Rules. Subject to these deadlines, a bill may be
20 introduced at any time except when the houses are in joint
21 summer, interim, or final recess. Each house may provide for
22 introduction of bills during a recess other than a joint recess.
23 Bills shall be numbered consecutively during the regular session.

24 (b) The Desks of the Senate and Assembly shall remain open
25 during a joint recess, other than a joint spring, summer, interim,
26 or final recess, for the introduction of bills during business hours
27 on Monday through Friday, inclusive, except holidays. Bills
28 received at the Senate Desk during these periods shall be
29 numbered and printed. After printing, the bills shall be delivered
30 to the Secretary of the Senate and referred by the Senate
31 Committee on Rules to a standing committee. Bills received at
32 the Assembly Desk during these periods shall be numbered,
33 printed, and referred to a committee by the Assembly Committee
34 on Rules. After printing, the bills shall be delivered to the Chief
35 Clerk of the Assembly. On the reconvening of each house, the
36 bills shall be read the first time, and shall be delivered to the
37 committee to which they were referred.

38 (c) A member may not author a bill during a session that would
39 have substantially the same effect as a bill he or she previously
40 authored during that session. This restriction does not apply in

1 cases where the previously authored bill was vetoed by the
2 Governor or its provisions were “chaptered out” by a later
3 chaptered bill pursuant to Section 9605 of the Government Code.
4 An objection based on this restriction may be raised only while
5 the bill is being considered by the house in which it is introduced.
6 The objection shall be referred to the Committee on Rules of the
7 house for a determination. The bill shall remain on the Daily File
8 or with a committee, as the case may be, until a determination is
9 made. If, upon consideration of the objection, the Committee on
10 Rules determines that the bill objected to would have
11 substantially the same effect as another bill previously authored
12 during the session by the author, the bill objected to shall be
13 stricken from the Daily File or returned to the desk by the
14 committee, as the case may be, and may not be acted upon during
15 the remainder of the session. If the Committee on Rules
16 determines that the bill objected to would not have substantially
17 the same effect as a bill previously authored during the session
18 by the author, the bill may thereafter be acted upon by the
19 committee or the house, as the case may be. The Committee on
20 Rules may obtain assistance as it may desire from the Legislative
21 Counsel as to the similarity of a bill or amendments to a prior
22 bill.

23 This joint rule may be suspended by approval of the
24 Committee on Rules and three-fourths vote of the membership of
25 the house.

26 (d) During a joint recess, the Chief Clerk of the Assembly or
27 Secretary of the Senate shall order the preparation of preprint
28 bills when so ordered by any of the following:

- 29 (1) The Speaker of the Assembly.
30 (2) The Committee on Rules of the respective house.
31 (3) A committee, with respect to bills within the subject matter
32 jurisdiction of the committee.

33 Preprint bills shall be designated and shall be printed in the
34 order received and numbered in the order printed. To facilitate
35 subsequent amendment, a preprint bill shall be so prepared that,
36 when introduced as a bill, the page and the line numbers will not
37 change. The Chief Clerk of the Assembly and Secretary of the
38 Senate shall publish a list periodically of preprint bills showing
39 the preprint bill number, the title, and the Legislative Counsel’s

1 Digest. The Speaker of the Assembly and Senate Committee on
2 Rules may refer any preprint bill to committee for study.

3
4 30-Day Waiting Period
5

6 55. A bill other than the Budget Bill may not be heard or acted
7 upon by committee or either house until the bill has been in print
8 for 30 days. The date a bill is returned from the printer shall be
9 entered in the Daily History. This rule may be suspended
10 concurrently with the suspension of the requirement of Section 8
11 of Article IV of the Constitution or, if that period has expired,
12 this rule may be suspended by approval of the Committee on
13 Rules and two-thirds vote of the house in which the bill is being
14 considered.

15
16 Return of Bills
17

18 56. Bills introduced in the first year of the regular session and
19 passed by the house of origin on or before the January 31st
20 constitutional deadline are “carryover bills.” Immediately after
21 January 31, bills introduced in the first year of the regular session
22 that do not become “carryover bills” shall be returned to the
23 Chief Clerk of the Assembly or Secretary of the Senate,
24 respectively. Notwithstanding Rule 4, as used in this rule “bills”
25 does not include constitutional amendments.

26
27 Appropriation Bills
28

29 57. Appropriation bills that may not be sent to the Governor
30 shall be held, after enrollment, by the Chief Clerk of the
31 Assembly or Secretary of the Senate, respectively. The bills shall
32 be sent to the Governor immediately after the Budget Bill has
33 been passed.

34
35 Urgency Clauses
36

37 58. An amendment to add a section to a bill to provide that the
38 act shall take effect immediately as an urgency statute may not be
39 adopted unless the author of the amendment has first secured the

1 approval of the Committee on Rules of the house in which the
2 amendments are offered.

3
4 Veto

5
6 58.5. The Legislature may consider a Governor's veto for only
7 60 days, not counting days when the Legislature is in joint recess.

8
9 Publications

10
11 59. During periods of joint recess, weekly, if necessary, the
12 following documents shall be published: Daily Files, Histories,
13 and Daily Journals.

14
15 Committee Hearings

16
17 60. (a) A standing committee or subcommittee thereof may not
18 take action on a bill at any hearing held outside of the State
19 Capitol.

20 (b) A committee may hear the subject matter of a bill or
21 convene for an informational hearing during a period of recess.
22 Four days' notice in the Daily File is required prior to the
23 hearing.

24 (c) A bill may not be acted upon by a committee during a joint
25 recess.

26
27 Deadlines

28
29 61. The deadlines set forth in this rule shall be observed by the
30 Senate and Assembly. After each deadline, the Secretary of the
31 Senate and the Chief Clerk of the Assembly may not accept
32 committee reports from their respective committees except as
33 otherwise provided in this rule:

34 (a) Odd-numbered year:

35 (1) Feb. 18—Last day for bills to be introduced.

36 (2) ~~Apr. 22~~ April 29—Last day for policy committees to hear
37 and report to fiscal committees fiscal bills introduced in their
38 house.

39 (3) ~~Apr. 29~~ May 6—Last day for policy committees to hear and
40 report to the floor nonfiscal bills introduced in their house.

1 ~~(4) May 13~~ May 20—Last day for policy committees to meet
2 prior to ~~May 31~~ June 6.

3 ~~(5) May 20~~ May 27—Last day for fiscal committees to hear
4 and report to the floor bills introduced in their house.

5 ~~(6) May 20~~ May 27—Last day for fiscal committees to meet
6 prior to ~~May 31~~ June 6.

7 ~~(7) May 23--May 27~~ May 31-June 3—Floor session only. No
8 committee may meet for any purpose.

9 ~~(8) May 27~~ June 3—Last day for each house to pass bills
10 introduced in that house.

11 ~~(9) May 31~~ June 6—Committee meetings may resume.

12 ~~(10) July 1—No policy committee may meet until the Budget~~
13 ~~Bill is passed.~~

14 ~~(11) July 15—Last day for policy committees to meet and~~
15 ~~report bills.~~

16 ~~(10) July 8—Last day for policy committees to meet and~~
17 ~~report bills.~~

18 ~~(11) The Legislature shall be in summer recess from July 15~~
19 ~~until August 15. This recess shall not commence until the Budget~~
20 ~~Bill is passed.~~

21 (12) Aug. 26—Last day for fiscal committees to meet and
22 report bills.

23 (13) Aug. 29--Sept. 9—Floor session only. No committee may
24 meet for any purpose.

25 (14) Sept. 2—Last day to amend on the floor.

26 (15) Sept. 9—Last day for each house to pass bills.

27 (b) Even-numbered year:

28 (1) Jan. 13—Last day for policy committees to hear and report
29 to fiscal committees fiscal bills introduced in their house in the
30 odd-numbered year.

31 (2) Jan. 20—Last day for any committee to hear and report to
32 the floor bills introduced in that house in the odd-numbered year.

33 (3) Jan. 31—Last day for each house to pass bills introduced in
34 that house in the odd-numbered year.

35 (4) Feb. 24—Last day for bills to be introduced.

36 (5) April 28—Last day for policy committees to hear and re-
37 port to fiscal committees fiscal bills introduced in their house.

38 (6) May 12—Last day for policy committees to hear and report
39 to the floor nonfiscal bills introduced in their house.

- 1 (7) May 19—Last day for policy committees to meet prior to
2 June 5.
- 3 (8) May 26—Last day for fiscal committees to hear and report
4 to the floor bills introduced in their house.
- 5 (9) May 26—Last day for fiscal committees to meet prior to
6 June 5.
- 7 (10) May 30--June 2—Floor session only. No committee may
8 meet for any purpose.
- 9 (11) June 2—Last day for each house to pass bills introduced
10 in that house.
- 11 (12) June 5—Committee meetings may resume.
- 12 (13) June 30—Last day for policy committees to meet and
13 report bills.
- 14 (14) Aug. 18—Last day for fiscal committees to meet and re-
15 port bills.
- 16 (15) Aug. 21--Aug. 31—Floor session only. No committee
17 may meet for any purpose.
- 18 (16) Aug. 25—Last day to amend on floor.
- 19 (17) Aug. 31—Last day for each house to pass bills.
- 20 (c) If a bill is acted upon in committee before the relevant
21 deadline, and the committee votes to report the bill out with
22 amendments that have not at the time of the vote been prepared
23 by the Legislative Counsel, the Secretary of the Senate and the
24 Chief Clerk of the Assembly may subsequently receive a report
25 recommending the bill for passage or for rereferral together with
26 the amendments at any time within two legislative days after the
27 deadline.
- 28 (d) Notwithstanding subdivisions (a) and (b), a policy
29 committee may report a bill to a fiscal committee on or before
30 the relevant deadline for reporting nonfiscal bills to the floor if,
31 after the policy committee deadline for reporting the bill to fiscal
32 committee, the Legislative Counsel's Digest is changed to
33 indicate reference to fiscal committee.
- 34 (e) Any bill in the house of origin that is not acted upon during
35 the odd-numbered year as a result of the deadlines imposed in
36 subdivision (a) may be acted upon when the Legislature
37 reconvenes after the interim study joint recess, or at any time the
38 Legislature is recalled from the interim study joint recess.
- 39 (f) The deadlines imposed by this rule do not apply to the rules
40 committees of the respective houses.

1 (g) The deadlines imposed by this rule do not apply in
2 instances where a bill is referred to committee under Rule 26.5.

3 (h) The deadlines imposed by this rule do not apply in
4 instances where a bill is referred to a committee under Assembly
5 Rule 77.2.

6 (i) (1) Notwithstanding subdivisions (a) and (b), a policy
7 committee or fiscal committee may meet for the purpose of
8 hearing and reporting a constitutional amendment, or a bill that
9 would go into immediate effect pursuant to subdivision (c) of
10 Section 8 of Article IV of the California Constitution, at any time
11 other than those periods when no committee may meet for any
12 purpose.

13 (2) Notwithstanding subdivisions (a) and (b), either house may
14 meet for the purpose of considering and passing a constitutional
15 amendment, or a bill that would go into immediate effect
16 pursuant to subdivision (c) of Section 8 of Article IV of the
17 California Constitution, at any time during the session.

18 (j) This rule may be suspended as to any particular bill by
19 approval of the Committee on Rules and two-thirds vote of the
20 membership of the house.

21
22 Committee Procedure
23

24 62. (a) Notice of a hearing on a bill by the committee of first
25 reference in each house, or notice of an informational hearing,
26 shall be published in the Daily File at least four days prior to the
27 hearing. Otherwise, notice shall be published in the Daily File
28 two days prior to the hearing. That notice requirement may be
29 waived by a majority vote of the house in which the bill is being
30 considered. A bill may be set for hearing in a committee only
31 three times. A bill is “set,” for purposes of this subdivision,
32 whenever notice of the hearing has been published in the Daily
33 File for one or more days. If a bill is set for hearing, and the
34 committee, on its own initiation and not the author’s, postpones
35 the hearing on the bill or adjourns the hearing while testimony is
36 being taken, that hearing is not counted as one of the three times
37 a bill may be set. After hearing the bill, the committee may vote
38 on the bill. If the hearing notice in the Daily File specifically
39 indicates that “testimony only” will be taken, that hearing is not
40 counted as one of the three times a bill may be set. A committee

1 may not vote on a bill so noticed until it has been heard in
2 accordance with this rule. After a committee has voted on a bill,
3 reconsideration may be granted only one time. Reconsideration
4 may be granted within 15 legislative days or prior to the interim
5 study joint recess, whichever first occurs. A vote on
6 reconsideration may not be taken without the same notice
7 required to set a bill unless that vote is taken at the same meeting
8 at which the vote to be reconsidered was taken, and the author is
9 present. When a bill fails to get the necessary votes to pass it out
10 of committee, or upon failure to receive reconsideration, it shall
11 be returned to the Chief Clerk of the Assembly or Secretary of
12 the Senate of the house of the committee and may not be
13 considered further during the session.

14 This subdivision may be suspended with respect to a particular
15 bill by approval of the Committee on Rules and two-thirds vote
16 of the members of the house.

17 (b) If the committee adopts amendments other than those
18 offered by the author and orders the bill reprinted prior to its
19 further consideration, the hearing shall not be the final time a bill
20 may be set under subdivision (a) of this rule.

21 (c) When a standing committee takes action on a bill, the vote
22 shall be by rollcall vote only. All rollcall votes taken by a
23 standing committee shall be recorded by the committee secretary
24 on forms provided by the Chief Clerk of the Assembly and the
25 Secretary of the Senate. The chairman or chairwoman of each
26 standing committee shall promptly transmit a copy of the record
27 of the rollcall votes to the Chief Clerk of the Assembly or the
28 Secretary of the Senate, respectively, who shall cause the votes to
29 be published as prescribed by each house.

30 This subdivision also applies to action of a committee on a
31 subcommittee report. The rules of each house shall prescribe the
32 procedure as to rollcall votes on amendments.

33 Any committee may, with the unanimous consent of the
34 members present, substitute a rollcall from a prior bill, provided
35 that the members whose votes are substituted are present at the
36 time of the substitution.

37 A bill may not be passed out by a committee without a quorum
38 being present.

39 This subdivision does not apply to:

1 (1) Procedural motions that do not have the effect of disposing
2 of a bill.

3 (2) Withdrawal of a bill from a committee calendar at the
4 request of an author.

5 (3) Return of a bill to the house where the bill has not been
6 voted on by the committee.

7 (4) The assignment of a bill to committee.

8 (d) The chairman or chairwoman of the committee hearing a
9 bill may, at any time, order a call of the committee. Upon a
10 request by any member of a committee or the author in person,
11 the chairman or chairwoman shall order the call.

12 In the absence of a quorum, a majority of the members present
13 may order a quorum call of the committee and compel the
14 attendance of absentees. The chairman or chairwoman shall send
15 the Sergeant at Arms for those members who are absent and not
16 excused by their respective house.

17 When a call of a committee is ordered by the chairman or
18 chairwoman with respect to a particular bill, he or she shall send
19 the Sergeant at Arms, or any other person to be appointed for that
20 purpose, for those members who have not voted on that particular
21 bill and are not excused.

22 A quorum call or a call of the committee with respect to a
23 particular bill may be dispensed with by the chairman or
24 chairwoman without objection by any member of the committee,
25 or by a majority of the members present.

26 If a motion is adopted to adjourn the committee while the
27 committee is operating under a call, the call shall be dispensed
28 with and any pending vote announced.

29 The committee secretary shall record the votes of members
30 answering a call. The rules of each house may prescribe
31 additional procedures for a call of a committee.

32 Redistricting Bills

33
34
35 62.5. This rule applies only to bills affecting the boundaries of
36 legislative, congressional, or State Board of Equalization
37 districts.

38 (a) Except as specifically provided in this rule, Rules 28, 28.1,
39 29, 29.5, 30, 30.5, 30.7, 61 (except for paragraph (12) of
40 subdivision (a), and paragraph (15) of subdivision (b), of Rule

61), and 62 do not apply to bills affecting the boundaries of legislative, congressional, or State Board of Equalization districts.

(b) If the Senate (in the case of a Senate bill) or the Assembly (in the case of an Assembly bill) refuses to concur in amendments to a bill made by the other house, a committee on conference shall be appointed. The Speaker of the Assembly and the Senate Committee on Rules shall each appoint a committee on conference of three members, consisting of two members of the majority party and one member not of the majority party. The Secretary of the Senate and the Chief Clerk of the Assembly shall immediately notify the other house of the action taken.

(c) When a bill affecting the boundaries of legislative, congressional, or State Board of Equalization districts has been referred to a committee on conference, the chairman or chairwoman of the committee on conference shall immediately request the Senate Committee on Elections and Reapportionment and the Assembly Committee on Elections, Reapportionment, and Constitutional Amendments to hold a public hearing on the bill. The committee on conference shall also hold a public hearing on the bill. The hearings of the policy committees and the committee on conference may be noticed and held concurrently.

(d) If either or both of the policy committees hold a public hearing on a bill pursuant to the request of the chairman or chairwoman of the committee on conference, the policy committees may consider amendments to the bill, and may make recommendations on amendments to the committee on conference. A policy committee recommendation for an amendment may be adopted only by a rollcall vote of the members of the policy committee.

(e) All proposed reports of a committee on conference, all proposed amendments to a proposed report of a committee on conference, and all proposed amendments presented to a policy committee shall be accompanied by appropriate maps. A committee vote may not be taken on any proposed report of a committee on conference, any proposed amendment to a proposed report of a committee on conference, or any proposed amendment presented to a policy committee unless the proposed report or proposed amendment, with accompanying maps, has

1 been available to the public for at least 24 hours.
2 Notwithstanding subdivision (h), district boundaries contained in
3 any proposed report or any proposed amendment may not be
4 required to be prepared or approved as to form by Legislative
5 Counsel if the accompanying maps adequately reflect the district
6 boundaries.

7 (f) All hearings of the policy committees and the committee on
8 conference shall be open and readily accessible to the public, and
9 shall be noticed in the Daily File for not less than two calendar
10 days.

11 (g) The provisions of subdivision (e) prohibiting a committee
12 vote on any proposed report of a committee on conference, any
13 proposed amendment to a proposed report of a committee on
14 conference, or any proposed amendment presented to a policy
15 committee unless the amendment, accompanied by appropriate
16 maps, has been available to the public for at least 24 hours do not
17 apply in any of the following situations:

18 (1) The amendment proposed to a policy committee or the
19 committee on conference does not change any district
20 boundaries.

21 (2) The amendment proposed to a policy committee or the
22 committee on conference is required to correct a technical error
23 in the bill, and the proposed amendment would shift no more
24 than 1 percent of the population of any district to any other
25 district or districts.

26 (3) The amendment is a policy committee or committee on
27 conference amendment that is proposed in response to
28 amendments that have been proposed to the committee.

29 (h) Except as provided in subdivision (i), a vote may not be
30 taken in either house on any bill or any report of the committee
31 on conference on that bill unless the bill or the report has been in
32 print in Legislative Counsel form and available to the public,
33 accompanied by appropriate maps, for at least 24 hours.

34 (i) If either house refuses to adopt the report of the committee
35 on conference, the bill may be returned to the committee on
36 conference for further consideration. If the bill is returned to the
37 committee on conference for an amendment described in
38 paragraph (1) or (2) of subdivision (g), the notice requirements of
39 subdivisions (e) and (h) do not apply.

1 (j) Notwithstanding any other rule, this rule may be suspended
2 upon a majority vote of the membership of each house.

3
4 Uniform Rules
5

6 63. A standing committee of either house may not adopt or
7 apply any rule or procedure governing the voting upon bills that
8 is not equally applicable to the bills of both houses.

9
10 Votes on Bills
11

12 64. Every meeting of each house and standing committee or
13 subcommittee thereof where a vote is to be taken on a bill, or
14 amendments to a bill, shall be public.

15
16 Conflicting Rules
17

18 65. The provisions of Rule 50 and following of these rules
19 prevail over any conflicting joint rule with a lesser number.